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A COMPARATIVE SURVEY OF ELECTION FINANCE LEGISLATION 1978

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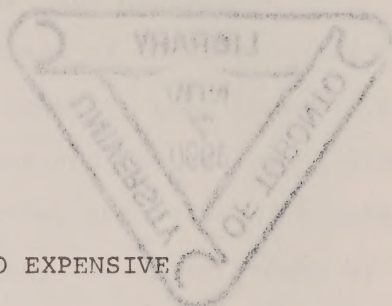
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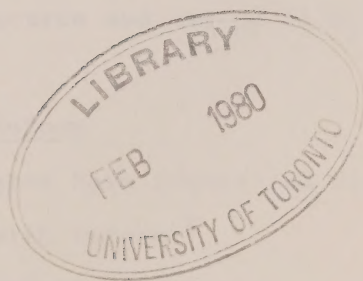
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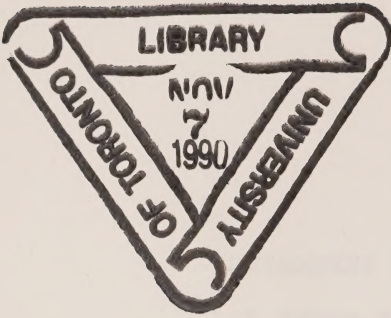
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POLITICS HAS GOT SO EXPENSIVE
THAT IT TAKE LOTS OF MONEY TO
EVEN GET BEAT WITH

Will Rogers





1. Overview

1.1 The Need for Election Finance Legislation

In most democracies, political activity has generally been sponsored by private sources. Traditional democratic theory assumes that "....all interests and points of view will receive financial support and expression in proportion to the numbers of their adherents".¹ Political resources, however, tend to be spread unequally among classes and individuals. Time, money, energy, education, and personal traits are more available among the upper strata of society. Of these, money is the single most important element.

Money, unlike most political resources, is liquid. It moves easily as well as silently, and it can buy most non-economic political resources. So it is that most election finance legislation is geared toward monitoring and controlling the source and use of money.

1.2 The Problems of Reform

Adamany & Agree have identified five problems associated with reform:²

1...[T]o enable a nation with a private property economy and, consequently, a massive inequality of individual and

1. D. Adamany and G. Agree, Political Money - (Baltimore: The John Hopkins University Press, 1975). at 2. [hereinafter referred to as Adamany and Agree].

2. Id., at 8-12.

institutional means to preserve opportunities for all its citizens to participate equally or nearly equally in financing politics.

- 2...[T]o structure a system that will provide enough money for vigorous, competitive campaigns for public office. ...The public's interest here is not...the candidate's opportunity to promote his own career, but their opportunity to hear from candidates in a balanced way.
- 3...[T]o ensure that each candidate is entitled to a fair share of the financial resources through a formula flexible enough to acknowledge newly emerging, as well as established movements, without rewarding frivolous candidates or propping up decaying political organizations.
- 4...[T]o free candidates and elected officials from undesirable or disproportionate pressure and influence from contributors and to free citizens from pressure by politicians to give financial support to candidates or parties.
- 5...[To prevent corruption] - i.e., where explicit understandings accompany either solicitation or giving.

2. The Theory

Eric Anderson identifies five types of campaign finance legislation:³

- (1) restrictions on the source of political money
- (2) restrictions on the size of political contributions

3. E. Anderson, "Campaign Finance in Wisconsin After Buckley", [1976] Wis. L. Rev. 816 at 819-820.

- (3) restrictions on the size and type of political campaign expenditures
- (4) publication of the source of financial political support [disclosure]
- (5) public subsidy for political campaigns

To these some authors have added the requirement of agency -- i.e. making one person responsible for both receiving and spending the candidate's money.⁴ Each of these will be examined in turn.

2.1 Limitations on Sources

Limitation on sources of funds has seldom been imposed to cut down the cost of elections; their imposition generally reflects a concern with the purity of the election process. Certain elements, it is feared, are very strongly motivated to influence or corrupt government.

The central principle is

...the conviction that special interests do not contribute money unless they get something in return. It is suggested that this "donations-for-favours" exchange may lead to a perversion of the democratic system and therefore must be eliminated.⁵

In addition, it has generally been thought by prohibiting or restricting donations from special interests, the base of political financing could be broadened.⁶

4. Can. Report of the Committee on Election Expenses, 1966, (Ottawa: Queen's Printer, 1966) at 104-Barbeau Report.

5. Id., at 90.

6. Id., at 91.

Attempts to curb contributions from special interests raise serious questions quite apart from the mechanics of the restrictions. The legislation enacted necessarily reflects the prevailing attitude vis-a-vis these questions. For example, foremost among the considerations is the role of private institutions in the electoral process. The European view accepts the legitimacy of political activities on the part of such institutions, since they are directly affected by government.

On the other hand, Adamany and Agree note that

[t]he American view...is based on fear that these private institutions, which possess massive resources, will dominate government policy making. Further, Americans tend to feel that the leaders of the economic institutions do not speak for their members or shareholders on political matters. But even if institutional leaders could correctly be described as representing most members, there would still be concern for the political preferences of minority elements.⁷

2.2 Limitations on the Size of Contributions

As in limiting the sources of contributions, the aim in restricting the size of contributions is not to keep down election costs, but to maintain the purity of the election process

7. Supra, note 1, at 53.

by protecting both candidate and contributor from undue influence. A further effect would be to curb the special advantages of a wealthy candidate or those backed by wealthy interests. Here, the concern

...is not undue influence, for the candidates hold views consistent with those of the wealthy, but rather the unfair access to voters gained by small groups of wealthy citizens sponsoring a compatible candidate.⁸

A problem facing the legislature concerns the level of the restrictions to be imposed. Setting too low a level would effectively cut off a large proportion of funds available to candidates and parties. Setting too high a limit would render it meaningless.

2.3 Limitations on Expenditures

Of all forms of political finance regulation, limitation of expenditures is the one most frequently advocated. Limits on spending regulate the relationship between politicians and voters.

The basic premise underlying expenditure limitation rests on the conviction that

...limitations on political spending would reduce the imbalance, the need for funds, and the need or temptation to accept contributions with conditions, explicit or tacit.⁹

8. Id., at 44.

9. H.E. Alexander, Money in Politics (Washington: Public Affairs Press, 1972) at 231 [hereinafter referred to as Alexander (1972)].

Expenditure limitation is characterized by two forms. "Segmental" limits "aim at specific kinds of expenditures, whether to curb total spending by restricting certain high-cost activities or to ban campaign techniques regarded as immoral or improper".¹⁰ Such limits may define allowable campaign expenditures - e.g., printing costs -- and by implication exclude other outlays.

Segmental limits have come under heavy criticism in their usefulness. Adamany and Agree note four shortcomings associated with such limits:

First, it is doubtful what the public interest is in specifying which among otherwise legal activities may be supported by campaign funds. The quality of campaigning is difficult to guarantee by the choice of campaign methods.

Second, the prescription of approved campaign methods very quickly becomes antique.

Third, it is difficult to write statutory limits specifically enough....

Fourth, enforcement of such laws is difficult. The public is not likely to support prosecution for campaign activities that are legal when engaged in for non-political purposes.¹¹

Limitation of total campaign spending is the second prevalent form, with the overall

10. Adamany and Agree, supra, note 1, at 54.

11. Id., at 55.

limit based on some formula - e.g. 10¢ per voter in the district. These too are plagued with shortcomings. "With so many variations in regions, campaign practices and costs, uniform limits cannot be fair. If limits are low, they invite evasive tactics like financing committees that speak against the opponent rather than for the candidate".¹² Furthermore, low limits tend to ignore political necessities. "Campaign costs are high where party identification is weak",¹³ and media costs are rising.

On the other hand, setting too high a limit is to render it meaningless. The difficulty, therefore, is in striking an equitable balance.

Adamany and Agree attack both the underlying assumptions and the efficacy of spending limits. Such limits, they contend, do not remove disparities in funding where one candidate cannot raise enough money to bring himself close to the ceiling while his opponent can. They note that

[t]he usual cause of disparities is not the number of contributions each candidate wins, but the size. If all private contributions are small, the disparities in funding - public and private - will be small.¹⁴

Herbert Alexander argues that expenditure

12. Alexander (1972), supra, note 9, at 232.

13. Id., at 232.

14. Supra note 1, at 60-61.

limitations are rendered unnecessary by the "law of diminishing returns". -- i.e. that there occurs a saturation point where spending no longer pays, that benefits from unlimited spending may be less than marginal.¹⁵ Thus, the significance of modest private financing disparities on top of generous public grants would be reduced.

The most powerful criticism, however, is that expenditure limitations stifle vigorous campaigns, hinder a strong crossfire of public debate, and discourage more active citizen participation. As Alexander put it,

If the political system is to be open and responsive to challenge, limitations are undesirable because they tend to favour the status quo.... One key goal of the political system should be intense competition because that helps to make the system more responsive. Limitations tend to reduce opportunities for voters to hear about candidates and issues. Periodic electioneering helps to structure and politicize society -- an essential to the functioning of a democracy. Reducing expenditures reduces opportunities for voters to learn that the political season is on.¹⁶

2.4 Disclosure

Proponents of political finance reform have generally included disclosure as one of the key measures in insuring the success of

15. Supra, note 9, at 234.

16. Cited in Adamany and Agree, supra, note 1, at 62.

any controls to be instituted. Such measures have been implemented primarily for two reasons:

- ...(a) as an administrative necessity for the enforcement of limitations on contributions and expenditures, and
- ...(b) as an important means of control in themselves.¹⁷

That disclosure is an administrative necessity is beyond question; without some effective method of monitoring inflows and outflows of funds, enforcement of the limitation provisions would be impossible. Whether such disclosure should be public raises several issues. In its examination of the controversy, the Manitoba Law Reform Commission has reported the following:¹⁸

...Those in opposition have argued that

- (1) compulsory reporting and disclosure of contributions is an invasion of privacy and a breach of the principle of the secret ballot, since a person would be pressured and could be assumed, normally to vote for the candidate or party he supported financially;
- (2) publication of a donor's name might lead to persecution or at the very least embarrassment from his associates, his employer, and adherents of other political parties and for corporate donors there would be the risk of shareholder displeasure, customer resentment, and public suspicion;

17. Manitoba Law Reform Commission, Working Paper on Political Financing and Election Expenses (1977) [hereinafter referred to as Manitoba Working Paper] at 56.

18. Id., at 56-58.

- (3) the loss of anonymity might result in a serious drop in contributions, and might well drive parties who desperately need funds to illegitimate sources willing to defy the law by not reporting contributions;
- (4) such reporting legislation would affect those parties which rely largely on membership dues less than those which rely on individual or corporate contributions;
- (5) evasion would be relatively easy and would lower respect for the law;
- (6) reporting might encourage the development of sponsor or front organizations to evade the reporting requirements;
- (7) the burden of bookkeeping and accounting might hinder the chances of election victory for smaller parties;
- (8) such legislation might open the way for administrative interference in party affairs other than the simple examination of financial records;
- (9) it might discourage business-based donors who would anticipate that the published list would be used by other parties as a canvassing list and thus lead to requests for several times as many contributions;
- (10) disclosure might create suggestions of donor-government conflict of interest, especially in an age when government has customer relationships throughout the business community.

On the other side, it is contended that:

- (1) a financial contribution is not the same as the privilege of the secret ballot but an attempt to influence the votes or opinions of others and thus a public act;

- (2) if donations were made public, it would be easier for candidates and parties to resist pressures by donors for favours;
- (3) disclosure permits an analysis of the connection between donations and patronage appointments;
- (4) publicizing contributions would curb the entry of undesirable, tainted, or criminal money because candidates who accepted such money might be adversely affected at the polls;
- (5) public confidence in the political system would be fostered through the removal of the "mystery" surrounding political financing and this would in turn lead to a broadening of the base of political donations;
- (6) publicizing expenditures may force those spending money in election campaigns not to stray beyond what the general public feels is reasonable;
- (7) if there is to be any public subsidizing of political parties and candidates through grants of public money and services, then the public has a right to know if the recipients needed the funds and if the funds were expended for legitimate election purposes.

Workable full disclosure requires that

... statements be technically correct because they are only a first stage in transmitting the information to the public for its evaluation. Under the theory of full disclosure, the opposition politicians and press who are responsible for publicizing the information cannot be expected to conduct extensive reviews of the reports and figures for accuracy and completeness.¹⁹

19. Adamany and Agree, supra, note 1, at 99.

The Barbeau Committee concluded that

[t]he concept of accuracy involves the honesty and exactness of the reports made by the candidates plus the question of whether the coverage of the reporting is broad enough to give a correct picture of political finance.²⁰

The complexity of the reporting procedure, the volume of information required, and associated costs to produce such reports, however, may cause a candidate to file an inaccurate or false report.

The period which the report is to cover, as well as the time for filing, will in most respects determine the usefulness of the reports. Publication of pre-election reports may have some impact on the outcome of the election. Such reports, however, suffer from the problem of too little time to both prepare and analyze the information contained. The end result may be a picture bearing little or no resemblance to the true state of political financing.

Conversely, post-election reports alone will have little impact on the outcome of the election, but may have many administrative uses. Thus, the use of either or both reports will to a large extent be determined by a balancing of the competing considerations consistent with the perception of the role of political finance regulation in the political

20. Supra, note 4, at 115.

culture.

The discussion has so far been restricted to consideration of disclosure during the election period by a candidate. Much expenditure, however, takes place between elections; an accurate picture of political finance requires reporting for inter-election years.

Coupled with inter-election reporting, disclosure by other than candidates would similarly seem essential. Money raised and spent by political parties and front organizations would be excluded in a system of disclosure by candidates only. It is important, therefore, to find out through whose hands the money goes and require them to submit reports.

In their criticism of disclosure, Adamany and Agree conclude with the following observations:²¹

First, contradictory demands are inherent in the theory of disclosure. Everything must be revealed, but everyone's revealing everything produces so much information so close to election day that it cannot be analyzed, publicized, and then understood by the public.

Second, the effectiveness of disclosure depends entirely on the transmission of political finance information to the voters. The media may simply find this too burdensome, or they may cover it in ways consistent with editorial preferences.

21. Adamany and Agree, supra, note 1, at 113-14.

Third, even if the information is available and transmitted, the general public cannot and will not comprehend and use it.... [V]oters frequently avoid information that does not harmonize with their party or candidate preferences; they selectively perceive facts that confirm their choices and screen out hostile information.

Fourth, voters do not and should not give campaign finance practices a heavy weight in making ballot choices.

...[The voter] would waste his vote if he gave more weight to the sources of campaign funds than to the candidate's posture on [the] issues.... [T]herefore, candidates rarely need fear that disclosure of such practices will result in political penalties at the polls.

From the above, it would seem that some other mechanism for compelling compliance should be available.

2.5 Enforcement

Is there any honourable member in this House so foolish as to think that contributions are not made to election funds? Why, of course, they are made....Everybody knows also that this country has yet to find a single prosecution. The law is a dead letter....It has never been enforced, and there is no intention of enforcing it today.²²

For a law to be effective, it must be enforced. This self-evident maxim, however, has so eluded the lawmakers that the Manitoba Law Reform Commission concluded that "[t]he

22. Sir Henry Drayton in the House of Commons, commenting on the 1908 legislation banning corporate contributions, cited in the Barbeau Report, supra, note 4, at 19.

record is so perfect in its display of abysmal neglect that it points to a conspiracy against prosecution, at least among the politicians".²³

The first requirement for the enforcement of political finance laws is that the laws themselves be capable of enforcement. Ease of proof is an essential requirement for a workable enforcement scheme.²⁴

Experience in the United Kingdom shows that it is easier to prosecute for technical offences than for substantive offences. Under the system of official electoral agents, it becomes an offence for anyone to spend money locally in support of the candidate except through the agent, and for the agent to spend any money for which he does not account, or spend money above the permitted amount. Thus, it is necessary only to prove that money has been spent, not that it has been spent corruptly.²⁵

Through the enforcement of these technical offences, effective indirect control is exerted over the more difficult to establish substantive offences.

The second requirement is that the controls be enforced vigorously, but without bias or favouritism.²⁶ It is generally conceded in theory that the body charged with enforcement be independent and non-partisan,

23. Supra, note 17 at 19.

24. Id., at 68.

25. Barbeau Report, supra, note 4, at 288.

26. Manitoba Working Paper, supra, note 17, at 69.

free from the influences of those in power. The rationale is obvious. If enforcement was left to a government department, the opportunities for abuse would abound. For similar reasons, the best view holds that the Commission itself should be able to proceed against offenders for both civil and criminal violations, and should not refer them to the Attorney General.

In many instances, the body charged with the day-to-day administration of the political finance laws is also responsible for their enforcement. In such a situation, there always lies the danger that the enforcement aspect is overwhelmed by the barrage of detail necessary to administer the laws.

The final requirement is that the penalties for non-compliance be severe. This has drawn almost unanimous approval. With respect to penalties, the Barbeau Committee concluded that

...The penalties for failure to comply with the proposed legislation must be severe. The entire purpose of this Report and its recommendations will be defeated unless the system proposed is rigorously policed and persons and parties prosecuted for infractions. The penalties must reflect the seriousness of each breach, and thus encourage compliance with the provisions.²⁷

27. Supra, note 4, at 61.

2.6 Public Funding

The various measures discussed so far have in many ways touched upon the issues and problems outlined earlier in section 1.2. Although important in many respects, they do not directly address themselves to the problem of "structuring a system that will provide enough money for vigorous, competitive campaigns for public office."²⁸

The sole purpose of campaigning is to inform the electorate about the position of the candidates on various issues. The past decade has seen an increasing use of the media, especially television, as the primary method of mass communication. Rising costs in these areas have resulted in a corresponding increase in the cost of running a political campaign. Thus, it would appear that access to public office is more and more dependent upon one's financial means rather than the worthiness of one's political stance. Indeed,

[i]f the theory of democracy is to achieve any degree of actual realization, there must be some equality of opportunity to run for public office. Given the unavoidable expense of mass communication and a dearth of voluntary contributions from the public, the only feasible way to accomplish this is through some kind of state subsidy.²⁹

Where a subsidy system is instituted, certain benefits would follow. Impecunious

28. Adamany and Agree, supra, note 1, at 9.

29. Manitoba Working Paper, supra, note 17, at 33.

candidates for public office would be able to mount at least a minimum campaign. Candidates and parties would be less susceptible to the pressures of "big givers". Similarly, businesses would no longer be subject to pressures to donate money in order to assure equitable treatment from those in power.

The difficulty, however, arises in the access and entitlement to public financing.³⁰ These will be considered in four areas: total public funding, partial subsidy, indirect subsidy and tax incentives.

2.6.1 Total Public Funding

Several authors³¹ advocate total public funding as the only solution to many of the shortcomings of the other measures mentioned above. They argue that in fighting the temptation of resorting to questionable methods of financing, the best course would be to remove the temptation altogether by providing the funds to conduct campaigns. Not only would tainted money and practices be removed from the system,

30. Schwartz, Thomas J., Public Financing of Elections: A Constitutional Division of the Wealth (Chicago, 1975) at 38:

Access is used here to describe the requirements and hence, the standards, that must be met for a candidate or a party to gain entry into the domain of public financing. Entitlement is used to describe the process by which a candidate who has gained access may receive funds under the appropriate formulae.

31. See generally Adamany and Agree, supra, note 1.

but the electorate would also be able to hear from candidates in a balanced way as a result of a more competitive campaign.

Despite these advantages, total public funding warrants serious criticism. A major consideration involves the apportionment of public funds.

If the amount of the subsidy is based upon previous votes received by the candidate's party, incumbents would receive more money than challengers, who are already at a disadvantage for other reasons.³²

If all parties are treated the same, the effect would be to favour minority parties at the expense of the major ones.³³

A further complication arises with respect to independent candidates, i.e. "parties of one". The Ontario Commission on the Legislature concluded that

[t]otal public funding would either eliminate the independent as a part of our political process or it must, willy-nilly, allow those seeking mere notoriety or self-aggrandizement access to the process at public expense.³⁴

Also, new parties might not qualify for subsidies based on votes received in the previous election; minor parties might be subsidized long after its political activity has peaked, thus prolonging its uselessness.

32. Alexander (1972), supra, note 9, at 238.

33. Ont. Third Report of the Ontario Commission on the Legislature (Toronto: Queen's Printer, 1974) at 10 -- Camp Report.

34. Id.

2.6.2 Direct Subsidies

Direct subsidies involve the allocation of sums of money by the state to political parties and/or candidates.

Two basic types of allocation techniques may be distinguished: the "subjective" mode, where the taxpayer indicates preference, and the "objective" mode, where apportionment is according to some standard. The Barbeau Committee examined both schemes and reported the following:³⁵

1. "Subjective" Modes of Allocation Among Parties: Grants and Subventions

- (a) Tax "Earmarking": Within the category of subjective modes of allocation, several specific techniques are possible. A special tax could be levied for political subsidies, and this set portion of a taxpayer's tax, say 1/2%, could be earmarked by the taxpayer for a certain political organization....

- (b) "Matching": Alexander's "matching" plan is also designed to make government subsidies correspond to citizens' preferences.³⁶ He suggests that the state match every small donation, up to say \$10, deposited in a special party account. The state treasury would pay bills for specified purposes up to twice the amount deposited from these small donations. This plan is intended to stimulate solicitations just as tax credits are intended to stimulate contributions. It also has a built in control over the use of the funds....

35. Supra, note 4, at 181-82.

36. H.E. Alexander, "A Matching Incentive Plan", in H.E. Alexander, ed., Money for Politics: A Miscellany of Ideas (Princeton: Citizens' Research Foundation, 1963) Study No.6, at 40-41.

2. "Objective" Modes of Allocation
Among Parties: Grants and Subven-
tions

- (a) According to Seats Held or
Votes Received: The "objective"
standard of the number of seats
held in the previous election
solves the problem of defining
eligibility of parties. But it
does bias the system in favour
of established parties at the
expense of new ones. Allocat-
ing grants according to votes
received rather than seats won
lends a little more flexibility.

If, however, grants are given
to candidates, too, the question
of eligibility again arises, and
again some balance has to be
struck between consolidating the
status quo, and encouraging the
splintering of parties.

- (b) Reimbursement: One solution is
to make the subsidies as reimburse-
ments being contingent on the
candidate's receiving a certain
percentage of the popular vote.
This system would also serve to
encourage reporting of expendi-
tures.

These methods, however, are not without their
shortcomings. The tax earmarking scheme suffers
in that it requires a comprehensive administrative
scheme to track and distribute the funds. Under
the matching plan, a party could simply deposit a
large donation in several small portions, thus
increasing the amount of subsidy payable. The
administrative difficulty of safeguarding against
this would be great, and it would be unlikely that
such practices could be prevented.

The objective methods either favour the status
quo at the expense of newly emerging parties, or

leave the candidates with the basic problem of obtaining funds prior to the election to finance immediate needs.

Political parties, although able to receive funds during the campaign periods, still must raise and spend money between elections, and would probably rely on their traditional sources of funds. Thus, the Manitoba Law Reform Commission concluded

A state subsidy would help to relieve this dependence and it would augment the effect of tax incentives in spreading the financial support of parties over a wider popular base.³⁷

2.6.3 Indirect Subsidies

Indirect subsidies generally take the form of money for specific purposes, or of the free use of facilities such as television or postal services. The non-monetary subsidies, however, require tremendously complicated and detailed regulation. Allocation of broadcasting time also raises problems similar to those encountered in the allocation of funds:

If parties were to receive equal amounts of time, the formation of splinter groups might be encouraged. If, on the other hand, parties received grants in proportion to the strength they had shown at the last polling day, the system would be biased in favour of the status quo.³⁸

A point in favour of grants in kind is that they leave little room for misuse by the recipients.

37. Supra, note 17, at 46-47.

38. Barbeau Report, supra note 4, at 175.

2.6.4 Tax Benefits

Herbert E. Alexander has analyzed the objectives of tax benefit schemes as follows:

Two key arguments favour the adoption of tax benefit as a stimulant to political contributions. First, it is argued that it would provide the incentive of actual monetary benefit to contributors; second, that there is a certain psychological persuasiveness in the idea of tax exemption which in effect signifies official government encouragement of the gift that is being solicited.³⁹

Tax benefits may take one of two forms: tax deduction, or, tax credit. In a progressive taxation system, however, the deduction would result in a greater relative and absolute saving for those in an upper income level than those in the lower. It therefore favours those political parties appealing to the wealthier classes.

In analyzing the tax deduction in a progressive taxation system, Alexander argued that its impact would be inequitable and that such an incentive would not be likely to effect the desired increase in political donations:

Most small contributors could not avail themselves of the deduction, and its incentive power would be mainly for those, mostly in the middle and higher income brackets, who itemize their expenses. Moreover, the benefit of the higher deduction would come as a windfall to those large contributors in high income brackets who would give in any event.⁴⁰

39. H.E. Alexander, Tax Incentives for Political Contributions? (Princeton: Citizens' Research Foundation, 1961) Study No.3, at 11.

40. Id., at 18.

On the other hand, a tax credit scheme would avoid such a problem. The taxpayer simply allocates part of his assessed income tax to the support of a political party or candidate. The problems encountered are of a technical rather than a political or ideological nature. For example, a too-successful tax credit system might result in a loss of revenue to the state. Also, making political contributions eligible for a credit, rather than a deduction, would require a separate accounting on income tax returns.⁴¹

3. The Canadian Experience

To date nine out of ten provinces⁴² and the Federal Government have enacted political finance legislation of one form or another. The emphasis has been a disclosure, although there is a trend toward more comprehensive legislation incorporating expenditure and contribution limitations, and subsidy programs.

Of the comprehensive finance legislation, the Quebec laws are the most recent, closely followed by the Alberta legislation. The Quebec legislation represents a substantial update of the previous law in that province. Presently

41. Barbeau Report, supra note 4, at 177. Tax credit is used here to mean an allocation of a portion of the tax payable. See text, infra, section 3.5.

42. Only Prince Edward Island has not enacted any such legislation.

the Manitoba law is being reviewed, and most likely will be revised considerably.

The following is an analysis of Canadian political finance law as it now stands.

3.1 Limitations on Contributions

Only four provinces, Alberta, Manitoba, Ontario, and Quebec, have sought to regulate contributions. Two provinces, Alberta and Ontario, have sought to restrict the size of the political donation, one province, Manitoba, regulates the source of the political contribution, and one province, Quebec, regulates both the size and source of political donations.⁴³

In reviewing the Canadian literature, two views with regard to contribution limitations emerge. The Barbeau Committee was of the opinion that such limitations were a waste of time.⁴⁴ Limitation on size, 'they concluded,

43. In Manitoba, The Election Act, RSM, c. E-30, as amended, s.126 reads as follows:

It is an election offence

- (a) for any company or association having gain for its corporate object or one of its objects, or for any person directly or indirectly on behalf of such a company or association, to contribute, loan, advance, pay, or promise or offer to pay, any money or other thing of value to any person, corporation, or organization, for any political purpose in an election.

In Quebec, An Act to govern the financing of political parties, SQ 1977, c.11, s.62 reads as follows: "Only an elector may make a contribution".

44. Barbeau Report, supra note 4, at 48.

is simply and easily evaded. e.g. -- by dividing a large donation among several token contributors. Restrictions on sources of income, without adequate alternative funds, would simply compound existing difficulties. The Committee's underlying belief was that

...one has not only the right to contribute to the party of one's choice, but a duty in the pursuit of which an elector should be encouraged rather than restricted.⁴⁵

The principal vehicle of eliminating abuses should not be contribution limitation, but rather "the cleansing effect of audit and disclosure".⁴⁶

The Committee therefore recommended that

No restrictions as to size or source of political contributions be initiated, and all individuals, corporations, trade unions and organizations be encouraged to support the political party of their choice.⁴⁷

The Federal Government followed the recommendations of the Barbeau Committee and did not enact any contribution limits.

The Ontario Commission on the Legislature, while impliedly by acknowledging the arguments raised by the Barbeau Committee, points out that, in a system where the bulk of financial support comes from corporations and trade unions,

45. Id.

46. Id.

47. Id.

...there is too little genuine incentive for the party to give proper emphasis to the smaller contributor, or to broaden the base of party financing. A free open and democratic political system ought to have greater reliance upon general public support and ought not to depend, for its continuance, on the generosity of a segment of the community.⁴⁸

The Commission felt, however, that its task was one of broadening the base of political contributions, and not one of narrowing it, and that all elements of society should be encouraged to support the party system. It, therefore, recommended that contribution ceilings be adopted, not only for corporations and trade unions, but for individuals as well.

It is our intent to set political contributions at reasonable limits, which we believe sufficient to allow for the maintenance of the parties between elections and to generate sufficient campaign funds during elections. It is our purpose to remove from the political process the presence of big money from large and powerful interests.

We strongly recommend that the substantial dependence of our political parties upon the substantial contributions of a few be terminated. We propose a system which relies on the support of many, at all levels of society, and in which, in the end result, no particular group or segment can be deemed to wield more influence, or bear more of the cost of political financing than the other.⁴⁹

48. Supra note 33, at 6.

49. Id., at 31.

To date, only Quebec, Ontario and Alberta have adopted contribution limits, the Alberta legislation being modelled after the Ontario Act. The differences between the limits contained in the latter two Acts are one of magnitude, not type. For example, in Ontario the limits for individuals, corporations, and trade unions are \$2,000 annually to each registered party, \$500 annually to each registered constituency association not to exceed an aggregate of \$2,000, contrasted with \$10,000, \$500, and \$2,500 for the respective limits in Alberta.⁵⁰

The Quebec laws differ from those of Ontario and Alberta in both approach and philosophy. By restricting the class of donors to electors, it espouses the U.S. view that private institutions, which possess massive resources, will dominate government policy making, and that the leaders of such institutions do not speak for their members or shareholders on political matters. Donations from these interests should therefore be prohibited. The Quebec law also imposes a \$3,000 annual contribution limit,⁵¹ which seems to be aimed at removing the influence of "big money" from the elections, and encourages the parties to increase their base of financial support among the electorate.

50. The Election Finances Reform Act, SO 1975, c.12, s.19. The Election Finances and Contributions Disclosure Act, SA 1977, c.18, s.17.

51. An Act to govern the financing of political parties, SQ 1977, c.11, s.64.

Although the Quebec law cuts off a large source of funds from the parties, the parties themselves will not be as adversely affected as one might believe. Quebec maintains the most comprehensive system of public funding, and is the only jurisdiction to provide funds to parties during inter-election years. The entire contribution funding scheme, therefore, seems aimed at providing a more realistic correlation between revenues received and actual voter support by making the parties dependent upon the electorate itself for any additional funds.

In contrast to Quebec, which has just enacted provisions prohibiting contributions from other than electors, Manitoba is presently reconsidering the wisdom or appropriateness of such a measure. The Manitoba Law Reform Commission has tentatively recommended that corporate and trade union contributions be permitted, provided that such payments be authorized, recipients specified, and the donation sanctioned by a majority vote of shareholders or members.⁵²

The absence of contribution limits in other provincial legislation might be attributed to a lack of need for such measures, given the political culture of the province. In examining this area, the Manitoba Law Reform Commission concluded

52. Supra note 17, at 83-84.

[i]n the context of Manitoba we do not think that the problem of large donors is sufficiently acute to warrant the very complex and difficult to enforce provisions adopted by Ontario. We agree with the Barbeau Committee that the reporting and disclosure of cash and other commercially valuable contributions would probably be more than enough to curb any potential for abuse in this area.⁵³

3.2 Limits on Expenditures

In Canada, both segmental limits and total campaign spending limits are used. The Federal government, and four provinces, Manitoba, Nova Scotia, Quebec, and Saskatchewan, have opted for the total spending limitation approach. Ontario's limits are aimed at media advertising only. Interestingly enough, Alberta has not enacted any expenditure limitation provisions.

The spending limits imposed are generally determined by formula - e.g. \$1 for every registered elector in the district. The amounts used for calculating the limits vary from 40¢/elector in Manitoba to \$1/elector at the Federal level.⁵⁴ Saskatchewan, however, imposes an absolute ceiling of \$250,000 for spending at the party level.⁵⁵

53. Id., at 31.

54. For the expenditure limits of each province, see Appendix 1.

55. The Election Act, 1971, SS 1971, c.10, s.203E(1) as am. by Bill 70 of 1978, An Act to amend The Election Act, 1971, s.26.

The absence of overall expenditure limitations in Alberta and Ontario, as well as those other jurisdictions which similarly have no such provisions, might be attributed to what seems to be the prevailing view in Canada that such limitations are unnecessary. Three bodies, the Barbeau Committee, the Ontario Commission on the Legislature, and the Manitoba Law Reform Commission, have recommended against adopting such provisions.

The Barbeau Committee believed that

...a body of evidence presented to it supports the need to make recommendations for some form of control of, and limitation on, election expenditure. The Committee does not, however, accept the argument that these controls can be effectively placed on the total expenditure of a candidate. A total dollar limitation is inviting by its simplicity, but meaningless in practice. A total dollar limitation appears hopelessly inadequate in evaluating volunteers' support in work or services. It is also the Committee's contention that any attempt to place such a limitation could be easily circumvented. Controls and limitation, in the Committee's opinion, should apply only to those items which can be traced and proved, -- i.e. the public media whose use can be policed, so that controls will be meaningful.⁵⁶

The Ontario Commission on the Legislature, in opting against the adoption of spending limits, cited four factors which would tend to curb overall spending without the need for limits:

56. Supra note 4, at 49.

- in that the overall period of election campaigns will have been reduced...to 30 days;
- in that we have proposed that the time period during which political advertising is allowed be reduced...to a maximum of 21 days. Since media advertising has now become the largest single expenditure in election campaigns, the effect of this shortened period for such advertising should result in reduction in overall spending;
- in that we have also proposed a formula for the partial public funding of candidates' campaign expenditures which provides an incentive to candidates to keep their budgets in their certain limits;
- and, additionally, in that we have proposed rather stringent limitations upon the size of allowable political contributions which...will also tend to keep campaign budgets within sensible bounds.⁵⁷

The Commission further argued that the difficulties in enforcing such an overall limit would be too great:

Certainly, in any existing examples of such attempts before us, it seems certain that margins of error must be allowed, leading inevitably to permissiveness and then to inevitable carelessness and indifference. The enforcement of spending ceilings requires exacting reporting standards and thorough auditing, and demands of constituency organizations a competence that few of them in fact can be assumed to have. These, then, are among the reasons, after much deliberation, why we have found it to be the greater wisdom not to recommend that spending limitations be placed

57. Supra, note 33, at 42.

upon the parties and upon candidates. Instead, we have given greater emphasis to disclosure, to limitations on individual contributions, and to other sanctions which will, overall, tend to discipline and restrain excessive spending by those involved in the political process.⁵⁸

In contrast, the Chappell Committee adopted a different stance, advocating the imposition of expenditure limitations.

Notwithstanding the fears of the Barbeau Committee, we believe that limits can be enforced by the device we have previously recommended of requiring the candidates to supply reports audited by their own auditors. Thus a candidate who would spend beyond the legal limits and wishes to avoid the penalty would have to:

- (1) deceive his auditor;
- (2) deceive his official agent;
- (3) deceive the electorate in his riding; and
- (4) deceive his opponents in the electoral district, their auditors and agents.

As a practical matter, a candidate, his campaign manager and senior workers would have a fairly accurate judgment about what their opponents are spending.⁵⁹

3.3 Disclosure

All jurisdictions with political finance legislation require the filing of reports of one kind or another. The detail to be included in the reports, and the period covered

58. Id., at 43.

59. Can. Report of the Special Committee on Election Expenses, 1971 (Ottawa: Queen's Printer, 1971) at 13:21 - Chappell Report.

by them, however, vary greatly from province to province both in kind and degree.

The Federal Government,⁶⁰ Saskatchewan,⁶¹ Quebec,⁶² Ontario,⁶³ Manitoba⁶⁴ and Alberta,⁶⁵ require that both contributions received and expenditures made be reported. British Columbia,⁶⁶ New Brunswick,⁶⁷ Newfoundland⁶⁸ and Nova Scotia⁶⁹ require expenditures only to be reported. Generally, only totals need be reported, with itemized detail required in those instances where the amount received or expended exceeds some threshold amount. The contributions to be itemized run from "all" in Saskatchewan, to those over \$100 in the Federal and the Quebec laws. The detail required usually includes the name and address of the contributor, and the amount of the contribution. In contrast to

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60. Canada Elections Act, RSC 1970 (1st Supp.), c.14, ss.13.1-13.8, as am. by Election Expenses Act, 21-22 Elizabeth II, c.51, s.4.
 61. The Election Act, 1971, SS 1971, c.10, ss.203G, 203H and 203O, as am. by Bill 70 of 1978, An Act to amend The Election Act, 1971, s.26.
 62. An Act to govern the financing of political parties, SQ 1977, c.11, ss. 83-96.
 63. The Election Finances Reform Act, 1975, SO 1975, c.12, ss. 35, 42 and 43.
 64. The Election Act, RSM, c. E-30 (updated to 1971), ss. 170, 178 and 180.
 65. The Election Finances and Contributions Disclosure Act, 1977, SA 1977, c.18, s.28.
 66. Provincial Elections Act, RSBC 1960, c.306, ss. 174, 177.
 67. Elections Act, RSNB, c. E-3, s.135, as am. by SNB 1974 (Supp.), c.12, s.30.
 68. The Election Act, RSN 1970, c.106, s.121(9).
 69. Elections Act, RSNS 1967, c.83, s.164, as am. by SNS 1969, c.40, s.5.

several U.S. states,⁷⁰ no Canadian province requires that the name of the contributor's employer be specified. This probably reflects the view in Canada that the problem of laundering corporate money through employee contributions is neither acute nor widespread enough to warrant legislative intervention and the costly policing procedures. In any event, the reporting of contributions is evident only in those jurisdictions having contribution limitations in force.

The reporting of expenditures seems to have received more rigorous attention in those jurisdictions requiring it. Only at the federal level and in Quebec are the threshold limits set at \$25. In all other cases, each and every expenditure must be reported.⁷¹ In most cases, the name and address of the payee, the amount involved, the date and the purpose of the expenditure are required.

The reporting of such expenditures is an administrative necessity, needed to support three types of provisions: 1. those specifying allowable expenditures; 2. those specifying expenditure limitations; and 3. those specifying a

70. For example, Arkansas, California and Florida all require that the contributor's employer be specified.

71. With respect to Alberta, it is uncertain as to the detail required for reporting purposes. The Act only mentions that audited statements have to be filed; s.36.

With respect to Ontario, detailed expenditure returns are provided for by the guidelines and the forms used for filing.

reimbursement of election expenses to qualifying candidates. These post election reports, therefore, are not meant to have any educative effect on the public which might affect the outcome of the election. This differs substantially from the practice in many U.S. jurisdictions, which require pre-election reporting as an information source upon which voters may draw to better inform themselves as to how the candidates conducted their campaigns.⁷² Thus, unscrupulous practices would tend to detract from the candidate's credibility and may hurt his chances at the poll.

The Canadian practice seems to reflect the view that elections are best decided on the substantive issues. Too much weight on the mechanics of the campaign distorts these issues. The possibility of creating confusion and the prejudicial effect of a disclosure, which might be lacking in careful analysis or placed out of its proper context, outweigh the benefits of requiring pre-election reports since the problems of "big money" are not as acute here as it is south of the border. All Canadian provinces provide for fines for violations of the Act, with some jurisdictions requiring prison terms or disqualification from sitting or running for office, as a deterrent against contravention of the Act.⁷³

72. For further detail, see Part 4 of the Survey.

73. For greater detail, see section 3.4 - Enforcement.

Four provinces, Alberta, Manitoba, Ontario and Quebec, require annual statements to be filed. This impliedly accepts the view that political parties are going concerns, subsisting from year to year.⁷⁴ For regulation of political financing to have any meaningful effect, it must extend beyond the campaign period.

Of the legislative provisions involved, only Manitoba's are of doubtful effect. S.170 requires parties to file annual audited reports, but fails to specify a filing deadline.⁷⁵ It requires "individual donations" greater than \$250 to be specified. Thus, it is not necessary to specify the individual donors. As the Manitoba Law Reform Commission reports, the result is that

...parties have been atrociously late in submitting their "annual" returns and the only donations and expenses that have to be reported are those made in kind or which exceed the amount of \$250, a figure which is high enough to make splitting large donations among several donors relatively easy.⁷⁶

"Public" disclosure of election finance reports has been viewed with mixed reaction, and has been criticised by both the Chappell Committee and the Ontario Commission on the Legislature. The Chappell Committee recommended

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74. Saskatchewan provides for inter-election reporting by requiring amounts carried over from previous elections to be reported in the election return: s.202J.
75. The Election Act, RSM, c.E-30, as amended to 1971.
76. Supra note 17, at 61.

disclosure of the total amount of contributions for which income tax receipts were issued, but recommended against public disclosure of the names of individual donors, arguing that such disclosure would be counter-productive and citing many of the conclusions commonly used against such disclosure.⁷⁷

The Ontario Commission on the Legislature, citing many of the same reasons, concluded

...the disclosure of political contributions in itself may not significantly improve the system, but may only present new problems and create a number of new practices in fund-raising methods which will distort the spirit of the principle of disclosure, even while observing the letter of it.⁷⁸

Despite the misgivings expressed by the two bodies, the legislatures of the respective jurisdictions have enacted provisions calling for public disclosure of the names of individual donors.⁷⁹ In fact, all jurisdictions, except British Columbia, provide for public disclosure of all documents filed. Those documents listing the names of the individual donors would therefore fall in the public domain. The Manitoba Law Reform Commission notes that

...at the Federal level the disclosure requirements have had the effect of considerably reducing

77. Supra note 59, at 13:31. For arguments both for and against public disclosure, see text supra section 2.4.

78. Supra note 33, at 5.

79. Canada Elections Act, RSC 1970 (1st Supp.), c.14, ss.13.4, 63(1)(e), and 67(7.1) as am. by 21-22 Elizabeth II, c.51.

the flow of funds from such traditional sources as business corporations, with the result that the major parties have had to concentrate more and more on the solicitation of funds from the general public.⁸⁰

While critics of public disclosure of contributions might point to this as evidence of their worst fears being realized, it is probably more indicative of a healthier political climate. With the broadening of the financial base as a primary aim, it appears that such provisions are having some success in encouraging parties to seek support from all elements of society, and not just from a select few.

Indeed, informal sources in Ontario indicate that although corporate contributions have decreased, the overall level of contributions has not diminished. The individual donor has picked up the slack. As more and more people become aware of the tax incentives in Ontario, it is likely that the overall level of contributions will exceed the pre-1975 level,⁸¹ thus eliminating the major complaint against public disclosure.

3.4 Enforcement

Canadian statutes generally provide for three types of offences:

80. Supra note 17, at 59-60.

81. Ontario's Election Finances Reform Act came into force in 1975.

1. Violation of contribution and/or expenditure limits.
2. Filing or making a false statement or return.
3. Contravention of the Act for which no specific penalty is provided.

To ease enforcement for these types of offences, the statutes require the appointment of an official agent to act on behalf of the candidate, association, or party. All inflows and outflows of funds must be channelled through him, and he is responsible for keeping records, issuing receipts, and filing the required financial statements.⁸² Thus, for example, to enforce the spending regulations, it is not necessary to prove that money was spent corruptly, but only that the money was spent.

In practice, however, such a rigid procedure is not followed. Offenders are not likely to be prosecuted for infractions caused by ignorance or inadvertence where remedial action is available. The Ontario experience indicates that candidates or parties violating contribution limitations are given every opportunity to return the amount in excess in order to comply with the Act. Similarly, for other situations not in compliance with the Act but for which corrective action can be taken, prosecution is not recommended by the Commission so long as

82. For the different requirements in each province, see Appendix 1.

the offending party makes every effort to remedy the situation. In these cases, the Commission extends counsel on the best workable solution. Indeed, it would appear that deliberate or wilful evasions are the only situations in which the Commission would recommend prosecution. Thus, the Commission views chief among its aims the assisting of candidates and parties in complying with the Act, and the provision of a framework flexible enough to accommodate the individual problems encountered by the persons filing. This formula has been so successful that the Commission notes:

We are able to report a very full measure of cooperation and a conscientious effort on the part of all concerned, chief financial officers, candidates, parties and contributors, to be fulfilling to the requirements of the Act and we have yet to report a single case of deliberate or wilful evasion or contravention.⁸³ (Emphasis in original).

In Canada, the task of enforcing political finance laws has been left to either a Commission or to the Chief Electoral Officer of the jurisdiction. Although there is merit in a single overall electoral administration under the control of the Chief Electoral Offices, such a scheme is justifiable only if the

83. Ont. The Third Annual Report of the Commission on Election Contributions and Expenses. (Toronto: Queen's Printer, 1978) at 4. Every infraction, however, must be reported to the Attorney-General of Ontario: The Election Finances Reform Act, SO 1975, c.12, s.4.

political finance laws themselves are relatively unsophisticated. Once complicated limitation provisions and reporting procedures are in force, the need for a separate body to administer and enforce such laws is readily apparent. The Chief Electoral Officer, already burdened with the responsibility of administering the election laws, is less able to focus its total attention to developing the necessary expertise in the political finance area. There is little similarity between election laws and political finance laws; expertise gained in one area would be of little value in the other.

The roles required by the two sets of laws differ substantially in philosophy. Election laws demand that the Chief Electoral Officer maintain the appearance of impartiality to candidates and parties. Political finance laws demand that the accuracy of the financial reports be policed. Khayyam Z. Paltiel reports the following:

Available evidence from interviews and similar sources appears to indicate that these officials are not happy with this function. Not only are they pressed for time and resources, but to many of them the supervision of campaign and party finance seems at odds with the quasijudicial attitude they are required to adapt for the carrying out of their main function.⁸⁴

For these and other reasons, the Barbeau

84. K.Z. Paltiel, "Election Expenses", in D.J. Bellamy, J.H. Pammett, and D.C. Rowat, eds., The Provincial Political Systems: Comparative Essays (Agincourt, Ontario: Methuen Publications, 1976), 161 at 172.

Committee and the Ontario Commission on the Legislature recommended a separate body to administer and enforce political finance laws.⁸⁵

In contrast, the Chappell Committee recommended that the Chief Electoral Officer be solely responsible for the administration of political finance laws at the Federal level. They expressly rejected the Barbeau Committee's recommendations, arguing that the inconsistency in roles can be solved by requiring the parties to submit their own audited reports. Thus, there would be no need to police the accuracy of such reports.⁸⁶

The above analysis, however, begs the question for it does not consider the function and limitation of the auditing procedure. The Institute of Chartered Accountants of Ontario examined these in the light of the statutory audit requirements of The Election Finances Reform Act, 1975 (Ontario), s.41. An excerpt of the ICAO findings follows:

...it should be clearly recognized that the nature and scope of the auditor's examination under the Act will materially differ from the nature and scope of the usual examination of the financial statements of a business enterprise, inasmuch as the examination under the Act will not include verification that all transactions have been included in the accounting records. (Emphasis in original)

85. Third Report, supra note 33, at 23-24.

86. Chappell Report, supra note 59, at 13:13.

...it should be noted that the main thrust of the Ontario legislation is to limit the amount of contributions an individual, corporation or trade union can make...and, accordingly, there are many provisions relating to contributions, including sections 17 to 35, and at this time it is the opinion of the study group that the extent to which recorded contributions may contravene the provisions of sections 17 to 35 is not in every case susceptible to practicable determination by audit procedures. Accordingly, the auditor's report could not include an opinion that all contributions recorded were in accordance with the requirements of the Act.⁸⁷

The auditor's duty in preparing the return is to ensure that the return fairly represents the information contained in the accounting records.⁸⁸ He is not obliged to express an opinion as to the illegality of any transaction. Rather, he is "...to be sure that the statement indicates on its face the information required to form such an opinion."⁸⁹ Effective policing of the laws would therefore require scrutiny of the returns for any errors or omissions. This need for effective enforcement prompted the Manitoba Law Reform Commission to make the following comment:

87. The Institute of Chartered Accountants of Ontario, Guidelines to Members Appointed as Auditors Under The Election Finances Reform Act, 1975 (Ontario), May 1977 (hereinafter referred to as ICAO Guidelines) at 8.

88. For example, see The Election Finances Reform Act, 1975, SO 1975, c.12, s.41(4), and the Canada Elections Act, RSC 1970 (1st Supp.), c.14, s.62.1(4) as am. by Election Expenses Act, 21-22 Elizabeth II, c.51, s.8(1).

89. ICAO Guidelines, supra note 87, at 11-12.

We agree with the Chappell Committee that the Chief Electoral Officer should not be a bloodhound of the Crown, but we have serious reservations about leaving so much of the enforcement to the honest and diligence of those auditing the various returns. If accurate disclosure and reporting is to be required of parties and candidates to substantiate compliance with limitations on expenses and contributions, and to determine the amount of state subsidies, then there is, in our opinion, a need for active enforcement--i.e. for regular investigation and where necessary, prosecution, and in this regard we think it may well be advisable to establish an independent agency, one that will be sufficiently removed from the government and the parties to earn their respect and confidence.⁹⁰

The effectiveness of such an independent agency will depend on the integrity and determination of the persons composing it. In Ontario, the Commission is composed of two nominees from each political party holding four or more seats in the Ontario Legislature, a bencher of the Law Society of Upper Canada, the Chief Election Officer, and the Chairman of the Commission.⁹¹ In its examination of this Commission, the Manitoba Law Reform commented as follows:

It is questionable that the political parties should be so represented on a Commission which is meant to be independent of their influence. Trade-offs are always a possibility, despite the presence of such non-partisan members as the Chief Electoral Officer and a bencher from the Law Society of Upper Canada, and especially when

90. Supra note 17, at 75.

91. The Election Finances Reform Act, 1975, SO 1975, c.12, s.4.

the party representatives constitute a clear majority of the Commission.⁹²

Whether this in itself should be sufficient to preclude participation by the parties is arguable. The very presence of party members on the Commission assures the acceptance of any directives given by the Commission. Valuable input into the complexities of party financing from the party's point of view is available without having to resort to a more formal process of consulting the parties. The likelihood of tradeoffs is remote, given the possibility of public fury should any such manoeuvring become known.

The greatest defect in Canadian political finance legislation is the enforcement procedure. The standard practice is to report contraventions to the Attorney-General, leaving him with the option to prosecute. Some jurisdictions require the consent of the CEO or Commission before prosecution may be instituted.⁹³

The result is a needlessly confusing and drawn out enforcement procedure that is susceptible to the influence of partisan interests. Every effort should be made to avoid the possibility of the Attorney General of the day being influenced by political prejudice in giving an

92. Supra note 17, at 77.

93. For example, in Ontario, The Election Finances Reform Act, 1975, SO 1975, c.12, s.54 reads "No prosecution shall be instituted under this Act without the consent of the Commission".

opinion as to whether prosecution should proceed.

To this end, the best solution would be to allow the Commission to initiate prosecution proceedings in its own name. Where the legislation stipulates that consent of the Commission is required, it appears that the Legislature may have intended to give the Commission unfettered prosecutorial discretion. To prosecute without reference to the Attorney General would seem a natural exercise of such a discretion. Four provinces, Alberta, Ontario, Quebec and Saskatchewan,⁹⁴ have already given their Commission or CEO powers of investigation in accordance with the Public Inquiries Act of the province. The power of independent prosecution is a logical extension. Indeed, this is the course followed by Quebec. There, proceedings for contraventions against the Act or guidelines are instituted by the Director General of Financing of Political Parties, or by his nominee.⁹⁵

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94. Alberta, The Election Finances and Contributions Disclosure Act, SA 1977, c.18, s.4(1).
Ontario, The Election Finances Reform Act, 1975, SO 1975, c.12, s.5.
Quebec, An Act to govern the financing of political parties, SQ 1977, c.11, s.18.
Saskatchewan, The Election Act, 1971, SS 1971, c.10, s.203X(2), as am. by Bill 70 of 1978, An Act to amend The Election Act, 1971, s.26.
95. An Act to govern the financing of political parties, SQ 1977, c.11, s.98 reads:

Proceedings for contraventions against this chapter or the guidelines issued hereunder shall be instituted by the director general or by a person generally or specially authorized by him.

Penalties for contraventions vary from province to province in both kind and degree. All jurisdictions impose fines, ranging from \$25,000 at the Federal level to \$100 in Quebec, depending on the infraction. Other sanctions include disqualification from holding or running for office,⁹⁶ and prison terms ranging from one month to two years.⁹⁷ Newfoundland and Manitoba impose a per diem penalty for late filings, whereas all others impose a straight fine.

Of all the penalty provisions, those of Manitoba, New Brunswick and Newfoundland impose no restrictions other than the filing of reports and the use of an agent. Manitoba, on the other hand, imposes expenditure limitations, yet violation of such limitations appears to draw no penalty, rendering the provision useless.

The Federal level is the only one in which a fine is the sole penalty. Undoubtedly this reflects the view that the high ceiling of \$25,000 is sufficient to deter anyone from violating the provisions. Although this may be true, it seems more likely that disqualification from holding or running for office would be the most effective sanction, since it aims directly at the heart of the entire process. This, coupled with a monetary penalty, would be sufficient to

96. Alberta, Manitoba, New Brunswick, Ontario, Nova Scotia and Quebec.

97. British Columbia, New Brunswick, Newfoundland, Nova Scotia, Quebec and Saskatchewan.

discourage all but the most unscrupulous.

Six provinces⁹⁸ and the Federal government have enacted provisions making a candidate or party guilty of an offence for contraventions by the chief financial officer or agent. While this appears to be a mere codification of the doctrine of agency, i.e. that the principal is liable for the actions of his agent, British Columbia, New Brunswick and Newfoundland do not expressly provide for this. Whether the common law does in fact apply is a matter for the Courts or the Legislature to decide.

Another area which has attracted some legislative attention is the extent to which a principal is liable for the acts of his agent. The common law position may be summarized thusly:

If a man acts as an agent without any authority whatsoever, or if an agent exceeds his authority, the principal... is not liable at all in the first case and in the second, is not liable for the excess.⁹⁹

Nova Scotia, Quebec, and the Federal Act provide a statutory defence for the candidate or party where all reasonable means for preventing the Act or omission were taken, and the act or omission took place without the sanction or connivance of the principal.¹⁰⁰ Nova Scotia and Quebec further require that the action was

98. Alberta, Manitoba, Nova Scotia, Ontario, Quebec, and Saskatchewan.

99. Cheshire and Fifoot, The Law of Contract (9th ed. London: Butterworths, 1976) at 478.

100. Nova Scotia, Elections Act, RSNS 1967, c.83, s.164I(2) as am. by SNS 1969, c.40, s.5.

of no great gravity and could not have affected the result of the election.

In contrast, Manitoba, Ontario, and Saskatchewan make no such provision, but Manitoba and Ontario limit the strict liability to filing offences.¹⁰¹ Ontario and Saskatchewan, however, do limit the vicarious responsibility of the principal to acts done by the agent within the scope of his authority.¹⁰² Whether this limitation is intended to apply to the strict liability offences is not clear.

3.5 Public Funding

Money, it is said, does not grow on trees, but in the political arena in Canada, the parties can look to the government to lend a hand. Five provinces¹⁰³ and the Federal government seek to alleviate the burden of raising money by enacting various funding schemes and tax incentives.

Alberta, Nova Scotia, Ontario, Quebec, and Saskatchewan have reimbursement programs for candidates receiving a fixed percentage of the

101. Manitoba, The Election Act, RSM, c.E-30 (updated to 1971), s.188 applies to parties and candidates. Ontario, The Election Finances Reform Act, 1975, SO 1975, c.12, s.47(2) applies to candidates, constituency associations, and parties. Saskatchewan, The Election Act, 1971, SS 1971, c.10, s.203W(2) as am. by Bill 70 of 1978, An Act to amend The Election Act, 1971, s.26.

102. Id., Ontario: s.53(2).
Saskatchewan: s.203W(4).

103. Alberta, Nova Scotia, Ontario, Quebec and Saskatchewan.

vote.¹⁰⁴ Qualifying candidates are then entitled to receive a subsidy based on the number of registered voters.¹⁰⁵ Thus, a candidate may recoup part or all of his campaign expenses.

Alberta, Ontario, Quebec and the Federal government offer tax incentives to encourage individuals to contribute. All four use the tax credit approach. The Federal scheme allows a credit of 75% of the aggregate contribution if the aggregate does not exceed \$100, \$75 plus 50% of the amount by which the aggregate exceeds \$100 but does not exceed \$550, or the lesser of \$500 and \$300 plus 33 1/3% of the amount by which the aggregate exceeds \$550.¹⁰⁶ The Ontario provisions are identical to the Federal ones.¹⁰⁷ The Alberta provisions, while presumably intended to mirror the Federal enactment, achieve a curious result. The key provision is s.8.6(2)(b), which allows a credit of

\$75 plus 50% of the amount contributed if the aggregate amount

104. Alberta, Nova Scotia, Ontario and Saskatchewan have fixed this level at 15%, while Quebec has set it at 20%.

105. Alberta: 8¢/elector for first 25,000 electors, 6¢ for each elector in excess of 25,000.
Nova Scotia: a maximum of 25¢/elector.
Ontario: 16¢/registered voter for the first 25,000 voters in the district, and 14¢/registered voter for each voter in excess of 25,000.
Quebec: 25¢/elector.
Saskatchewan: 15¢/elector.

106. The Income Tax Act, RSC 1952, c.148 as amended, s.127(3).

107. The Income Tax Act(Ontario), RSO 1970, c.217 as amended, s.6b(4a).

of contributions by the taxpayer exceeds \$100 but does not exceed \$550.¹⁰⁸

The remaining provisions are substantially the same as the corresponding Federal provisions and achieve the same results. Thus, for a contribution of \$550, a taxpayer in Alberta would be allowed a credit of \$350, but for a contribution of \$551, he would only be allowed \$300.33. The Federal tax credits for the same contributions are \$300 and \$300.33 respectively.¹⁰⁹ s.8.6(2)(b) therefore

108. The Alberta Income Tax Act, s.8.6(1)(b) as am. by The Election Finances and Contributions Disclosure Act, SA 1977, c.18, s.48(1).

109. (I) For a contribution of \$550

(1) Alberta: s.8.6(2)(b): allowable tax credit = \$75 + 50% of amount contributed if the aggregate amount exceeds \$100 but does not exceed \$550.

= \$75 + 50% of \$550.

= \$75 + \$275.

= \$350.

(2) Canada: s.127(3)(b): allowable tax credit = \$75 + 50% of the amount by which the contribution exceeds \$100 but not \$550.

= \$75 + 50% of \$450.

= \$75 + \$225.

= \$300.

(II) For a contribution of \$551

(1) Alberta: s.8.6(2)(c)(ii): allowable tax credit = \$300 + 33 1/3% of amount contributed in excess of \$550.

= \$300 + 33 1/3% of \$1.

= \$300 + \$0.33.

= \$300.33.

(2) Canada: s.127(3)(c)(i): allowable tax credit = \$300 + 33 1/3% of the amount contributed in excess of \$550.

= \$300 + 33 1/3% of \$1.

= \$300 + \$0.33.

= \$300.33.

acts as a disincentive to contributions between \$550 and \$700, quite the contrary from the intended result.

Quebec's tax credit scheme differs from the above in the amount that can be claimed as a credit. S.585d of the Taxation Act allows a credit of 50% of the first \$100 contributed and 25% of the second \$100 contributed.¹¹⁰ The maximum total credit available therefore is \$75.

One problem with these provisions is that they are less generous than the Federal ones. A taxpayer would be more inclined monetarily to contribute federally than he would in Quebec. It was a similar likelihood which prompted the Ontario Commission on the Legislature to recommend adoption of the tax credit at the same levels as the Federal ones.¹¹¹

A further distinction may be drawn in the application of the tax credit provisions. S.127(3) of the Income Tax Act allows every "taxpayer" to claim a tax credit for political contributions.¹¹² S.248(1) defines "taxpayer" as "any person whether or not liable to pay tax", and "person" as "any body corporate and political...."¹¹³ This, therefore, includes corporations.

In Ontario, The Income Tax Act allows only individuals to claim the tax credit.¹¹⁴ S.15

110. SQ 1972, c.23, as am. by An Act to govern the financing of political parties, SQ 1977, c.11, s.135.

111. Supra note 33, at 33.

112. RSC 1952, c.148 as amended.

113. Id.

114. RSO 1970, c.217 as amended, s.66(4a).

defines an "individual" as "...a person other than a corporation...."¹¹⁵ Corporations cannot claim a tax credit for political contributions. Rather, a corporation may claim as a deduction from taxable income, the least of

- (i) the amount contributed
- (ii) its taxable income computed without reference to this section, and
- (iii) \$4,000....¹¹⁶

The Quebec Taxation Act, s.585d allows only individuals who are electors to claim the credit.¹¹⁷ Alberta's provisions appear to follow the Federal scheme.

As to the success of the tax credit system, the Manitoba Law Reform Commission remarks:

We think it indisputable that tax credits do provide an incentive to give, and that this incentive must have some effect over the long run. We would recommend for Manitoba a scheme similar to that now in force federally and in Ontario.¹¹⁸

Another form of tax credit is the income tax checkoff scheme. Each taxpayer simply allocates a portion of his assessed tax to the support of a political party or candidate. Although recommended by the Manitoba Law Reform

115. Id.

116. The Corporations Tax Act, 1972, SO 1972, c.143, s.30(1), as amended by The Corporations Tax Amendment Act (No.2), SO 1977, c.58, s.8.

117. SQ 1972, c.23, as amended by the Act to govern the financing of political parties, SQ 1977, c.11, s.135.

118. Supra note 17, at 54.

Commission, the Barbeau Committee, and the Ontario Commission on the Legislature, this scheme has yet to be implemented in Canada.¹¹⁹ One reason for this may lie in the procedure used to collect tax revenues. With the exception of Quebec, every province has its tax assessment and its collection of tax revenues administered by Revenue Canada. The possibility of confusion in the mind of the taxpayer of the different parties at both levels, with the accompanying administrative headaches, may have precluded the adoption of the income tax checkoff scheme.

Despite the administrative shortcomings, the income tax checkoff remains the most equitable of the funding schemes. Unlike the other tax incentive systems, the income tax checkoff is not dependent upon taxpayer income so long as there is some tax payable. Thus every taxpayer is accorded the same opportunity to contribute to the party of his choice without regard to his income. Tax deductions and tax credits tend to favour people in a higher income

119. The Manitoba Law Reform Commission appears to confuse a straight tax credit, where a taxpayer receives a deduction from tax payable for a contribution given in the taxation year, with an income tax checkoff, where a taxpayer allocates part of his assessed tax payable to a particular party. In the former, the total payable is reduced. In the latter, the total payable is not reduced, but is split between the provincial treasury and the political party. Both forms, however, are mentioned by and appear to receive the approval of the MLRC.

bracket. If the aim is to broaden the base of party financing, then the income tax check-off would seem to be a required part of any funding framework. Party finances would become more closely tied to the public's political support than to other non-political motivations.

In addition to the above funding schemes, Federal provisions require that broadcasters make available to the registered parties a total of six and one-half hours of programming free of charge. The proportion to be allocated to each party is fixed by consultation among the parties and the Canadian Radio, Television and Telecommunications Commission.¹²⁰

Quebec allows any radio, television or cable broadcaster and any newspaper publisher to donate free broadcast time or printing space, provided he offers such a service on an equitable basis to all the authorized parties or, in the same electoral district, to all the authorized associations or candidates.¹²¹

Unique to the funding provisions enacted by Quebec is the payment of a yearly allowance to every authorized political party represented in the National Assembly of Quebec.¹²² The

120. Canada Elections Act, RSC 1970 (1st Supp.), c.14, s.99.1, as am. by Election Expenses Act, 21-22 Elizabeth II, c.51, s.14.

121. An Act to govern the financing of political parties, SQ 1977, c.11, s.75.

122. Id., s.55.

allowance is based on 25¢ multiplied by the number of electors entered on the electoral lists, and is distributed proportionately to the percentage of the valid votes obtained by each party at the last general election.¹²³ This, coupled with the reimbursement and tax incentives, represents the most comprehensive funding program in Canada.

3.6 Conclusion

In Canada, the past few years have seen an increase of activity in the realm of political finance legislation. Both federally and provincially, the interest has resulted in more comprehensive legislation seeking to protect the honesty and integrity of the political process. The success of such measures, however, depends on how vigorously the laws are maintained and enforced. Perhaps the greatest defect common to political finance legislation in Canada is the inability of an independent body to prosecute offences in its own name. Whether this will be remedied in the future remains to be seen.

123. Id., s.56.

Addendum

New Brunswick has since enacted the Political Process Financing Act* to replace the applicable provisions in the Elections Act, RSNB, c. E-3, referred to in Part 3. What follows is a summary of the relevant provisions of the Act.

New Brunswick has joined Alberta, Manitoba, Ontario, and Quebec in regulating contributions. Section 37 outlines who may make contributions - individuals, corporations, and trade unions - and to whom they may be made. Subsection 38(1) provides that the contributor may only make a contribution out of his or its own property. Section 39 limits the total value of all contributions by a contributor to \$3,000 in any calendar year, and \$6,000 in any election year.

Unlike Nova Scotia, Manitoba, Quebec, and Saskatchewan, New Brunswick has opted for segmental limits rather than seek to impose overall spending ceilings. In this regard it seems to espouse the Ontario view that there is no need to resort to such drastic means to keep spending within reasonable bounds.^a Rather, section 50 sets limits for media expenditures - \$25,000 in each calendar year for registered political parties, and \$200 in the

*S.N.B. 1978, c.P-9.3.

a. see *supra*, pp. 31-32.

case of registered district associations and registered independent candidates. The limits do not apply to certain types of media expenditures -- e.g. publicizing scheduled meetings.

Sections 58 to 64 contain the disclosure provisions of the Act. More detail is required than was the case in the predecessor Act. Now, an itemized statement of contributions received, together with detailed information for contributions over \$100, are to be set out in the financial reports. Also, a statement of all expenditures other than election expenses (media expenses would be reported under this), together with all vouchers and receipts, must be filed with the Supervisor of Political Financing. Reports by a registered party are to be filed on October 1st and April 1st for the first six months and last six months respectively. Each registered district association must file a return for the preceding financial year by April 1st of each year. Where the final date for submitting financial returns falls during an election period, the date shall be extended to ninety days after the polling day of the election. All reports filed with the Supervisor are available for public inspection and are retained for six years.

Offences and penalties are provided for in sections 85 to 91. Sanctions consist of fines and imprisonment for three months. Prosecutions under

the Act must be commenced by the Minister of Justice -- s.90. In this regard, this Act suffers from the same problems discussed with respect to the possible prejudice of the Attorney General.^b

The Act itself is overseen by the Supervisor of Political Financing, who is appointed by the Lieutenant-Governor in Council on the recommendation of the Legislative Assembly -- s.4. An Advisory Committee consisting of representatives of each party represented in the Legislative Assembly assists the Supervisor in a consultative capacity with regard to the application of the Act.

b. See supra, pp. 46-48.

4. The U.S. Experience

The Watergate revelations of the early 1970's served to produce a flurry of legislative activity in the area of election finance reform. The impact of such legislation on Constitutional safeguards has prompted the United States Supreme Court, in Buckley v. Valeo,¹²⁴ to severely limit the areas in which the legislatures may impose restrictions on political financing. It is therefore necessary to examine this landmark decision to understand the ambit of permitted activity in this field.

4.1 Buckley v. Valeo

In Buckley, the Supreme Court directly addressed itself to the constitutionality of most of the major provisions of the Federal Election Campaign Act of 1971 and the Federal Election Campaign Amendment Act of 1974. Congress, through these enactments, sought to impose candidate expenditure limitations, buttress them with limitations on individual spending to endorse or oppose candidates, employ comprehensive disclosure to enforce these limits, extend public financing to national party presidential nominating conventions and to presidential primaries, and create a Federal

124. 96 S.Ct. 612 (1976), 424 US 1 (1976)

Elections Commission to enforce the Act and its provisions.

The plaintiffs in the action sought both a declaratory judgment holding unconstitutional key provisions of the two Acts and an injunction restraining the defendants from enforcing them. The Court of Appeals for the District of Columbia upheld the core provisions of the Acts, including the limitations on individual and candidate contributions and expenditures.¹²⁵ Plaintiffs appealed to the Supreme Court. While many of the FECA provisions came under constitutional attack, of primary importance are the Court's holdings regarding the contribution and expenditure limitations and the First Amendment.

In determining whether these limitations violated First Amendment freedoms of political expression and association, the Court considered the threshold question of whether the provision regulated political speech or conduct. J. Skelly Wright, who sat on the Court of Appeal in the case, points out that the legal question involved is not whether such restrictions are subject to First Amendment scrutiny, but rather what level of scrutiny should apply, and that there are two choices:

125. 519 F.2d 821 (D.C. Cir. 1975).

The first is to treat campaign contributions and expenditures as equivalent to pure speech. If this approach is proper, then the giving and spending restrictions enacted in 1974 should be treated in the same way as laws imposing a prior restraint on speech ... (and be) subject to the most rigorous scrutiny known to constitutional law.... (O)nly the most intensely compelling governmental interests can sustain such restrictions.

The second legal alternative is to treat political giving and spending as a form of conduct related to speech.... Alert and careful judicial scrutiny is still warranted for an ostensibly neutral regulation of conduct may merely disguise an attempt at silencing a particular viewpoint. ...The regulation is constitutional if it serves an important governmental interest and if that interest is unrelated to suppression of speech.¹²⁶

The Court of Appeals had found the regulations to be in accord with the Supreme Court's decision in United States v. O'Brien¹²⁷ in which the Court found that where "speech" and "nonspeech" elements are combined, a sufficiently important governmental interest in regulating the nonspeech element would justify incidental restrictions on First Amendment freedoms.¹²⁸ The Supreme Court disagreed, stating not only that the conduct in O'Brien was dissimilar from the expenditure of money, but also that the Court had

126. J. Skelly Wright, Politics and the Constitution: Is Money Speech? (1976) 85 Yale L.J. 1001 at 1005-6.

127. 391 US 367 (1968).

128. 391 US 367 at 376-77 (1968).

never suggested that the dependence of a communication on the expenditure of money operates itself to introduce a nonspeech element or to reduce the exacting scrutiny required by the First Amendment. Further, the regulations still would not pass the O'Brien test since the limitations suppressed communication by restricting the voices of people and reduced the overall scope of federal election campaigns. Having found that contributing and spending money for political candidates and campaigns fell within the protected First Amendment freedoms of political speech and association, the Court proceeded to find the monetary restraints on contributions justifiable but the expenditure limitations unconstitutional.

Contributing money, the Court said, is merely symbolic of showing support. A limitation on the size of the contribution restricts neither the quantity nor the essence of the contribution. The limitation only goes to the intensity of support without restricting the symbolic expression itself. The act of making a donation evidences the individual's freedom of expression which is protected by the First Amendment, but which the Court found could justifiably be limited in amount; there was a sufficiently important

governmental interest in the Act's primary goal of limiting the actuality and appearance of corruption resulting from large individual financial contributions. The contribution limitation itself does not undermine the potential for robust and effective political expression.

In contrast, the expenditure limitations were subject to such criticism as "The Act's expenditure ceilings impose direct and substantial restraints on the quantity of political speech", and "the restrictions, while neutral as to the ideas expressed, limit political expression 'at the core of our electoral process and First Amendment freedoms.'"¹²⁹ Expenditure limitations, the Court said, impermissably burdened the constitutional right of free expression and could not be justified by the mere argument that they served as a loophole-closing device. The overall governmental interest in legislating expenditure ceilings was to reduce the skyrocketing cost of political campaigns. The Court concluded that this interest did not justify restrictions on the quantity of campaign spending and the resulting limitation on the scope of federal campaigns. The sole exception was where the candidate was funded by

129. 96 S. Ct. 612 at 644 (1976).

public money. In this case, the Court held that public policy required that there be some limit to the amount of public funds that may be expended by a candidate and therefore there was a valid governmental interest served by limiting expenditures.¹³⁰

4.2 Limitations on Contributions

Controls over contributions are generally of two types -- outright prohibition and limitation of contribution. Prohibitions themselves are of two types. The first is directed toward the source of contributions. Twenty-one States and the Federal government prohibit contributions from all corporations.¹³¹ Kansas and New Jersey prohibit contributions from specified corporations and their major shareholders, while Georgia prohibits them from public utilities and Oregon prohibits them from specified corporations.

In contrast, contributions from unions are only prohibited by the Federal government

130. For excellent comments on the Buckley case, see J. Skelly Wright, *supra*, and April A. Hopkins, The Constitutionality of Limitations on Individual Political Campaign Contributions and Expenditures: The Supreme Court's Decision in *Buckley v Valeo*, (1976) 25 Emory L.J. 400.

131. Alabama, Arizona, Iowa, Kentucky, Massachusetts, Michigan, Mississippi, Minnesota, Montana, Oklahoma, North Carolina, North Dakota, Ohio, New Hampshire, Pennsylvania, South Dakota, Tennessee, Texas, West Virginia, Wisconsin and Wyoming.

and by eight states.¹³² This corporation/union dichotomy becomes more apparent when examining the limits imposed for contributions. Ten states and the District of Columbia limit the level of corporate contributions.¹³³ Of the ten states, Louisiana and New York do not have similar limits on the level of union giving. Nineteen states therefore do not impose any sanctions whatsoever on unions, while at the same time limiting corporations in some way.

There seems to be little reason to so single out corporations for such treatment without extending it to labour organizations as well. The Model State Statute makes no distinction between non-individual entities.¹³⁴ Rather, it recognizes that political power resides primarily in individual citizens and such power should not be diluted by non-individual entities. Its treatment of corporations and labour organizations in like manner recognizes the inequity of favouring one over the other.¹³⁵

132. Arizona, Missouri, New Hampshire, North Carolina, Pennsylvania, South Dakota, Texas and Wyoming.

133. Alaska, Arkansas, Connecticut, Delaware, Florida, Indiana, Louisiana, Maine, Maryland and New York.

134. H. Alexander and J. Molloy. Model State Statute: Politics, Elections and Public Office (Princeton: Citizens' Research Foundation, 1974) s. 502(a).

135. Id., at 8.

The second type of prohibition is directed to the manner in which the contribution is given. These include anonymous contributions, cash contributions in excess of a specified amount, contributions in the name of another, and contributions received by other than an authorized agent. Only ten states do not have any of the above provisions in their campaign finance laws.¹³⁶

The remaining contribution provisions are directed at individuals. Limits on contributions have been imposed by the Federal government, the District of Columbia, and by twenty-one states¹³⁷ and run from a low of \$600¹³⁸ to a high of \$25,000.¹³⁹

4.3 Limitations on Expenditures

The landmark decision of the United States Supreme Court in Buckley v. Valeo¹⁴⁰ effectively outlawed expenditure limitations in the United States. Despite the unconstitutionality of such types of provisions, they

136. Alabama, Arizona, Colorado, Maine, Mississippi, Nevada, New Mexico, South Carolina, Utah and Wyoming.

137. Alaska, Arkansas, Connecticut, Delaware, Florida, Kansas, Maine, Maryland, Massachusetts, Missouri, Montana, New Hampshire, New York, North Carolina, Oklahoma, South Dakota, Vermont, West Virginia, Wisconsin, Wyoming.

138. New Jersey. The limit applies to contributions towards a gubernatorial general election.

139. Several states, including Maine and Wyoming, have imposed this \$25,000 as an aggregate level for all contributions in one year.

140. See 4.1 supra.

remain on the books in several states. Sixteen states have yet to repeal their expenditure limitations.¹⁴¹ In Maryland and New Jersey, the State Attorneys-General have issued opinions indicating that they consider the provisions to be unconstitutional. In Washington, the expenditure limitations were struck down as unconstitutional by the Supreme Court of Washington in Bare v. Gorton.¹⁴² In any event, it is unlikely that any of the other expenditure limitations could survive a Court challenge and are, therefore, of dubious value.

Several states have sought to get around the constitutional restrictions imposed by the Buckley case. Michigan and Wisconsin, as well as the Federal government, impose expenditure limitations for only those candidates receiving public funding. North Carolina and Utah have adopted segmental limits -- they have imposed limitations on media expenditures -- and therefore have sought to limit the single biggest campaign expense. It is doubtful if the latter provision satisfies the Buckley criteria and does not offend the First Amendment.

141. Alabama, Alaska, Arizona, California, Florida, Georgia, Maryland, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Dakota, Rhode Island, Washington and West Virginia.

142. 526 P.2d 379.

4.4 Disclosure

It is generally conceded that to make any type of election finance legislation effective, disclosure of financial information is required. It is not surprising, therefore, to discover that campaign finance reports are required at the Congressional level and in forty-nine of the fifty states. The sole exception, North Dakota, simply provides for the filing of the candidate's personal financial information prior to an election.

Although reports are required, both the detail of their contents and their time of filing vary from jurisdiction to jurisdiction. Forty-three states, the District of Columbia, and Congress require detailed contribution and expenditure reports. Names and addresses of contributors, amount of the contribution, names and addresses of persons to whom expenditures are made, for what purpose and the amounts involved, are contained in these reports. The triggering level of the individual contribution or expenditure runs from a low of "all amounts to be reported in detail"¹⁴³ to a high of \$500 for contributions¹⁴⁴ and \$250 for expenditures.¹⁴⁵

143. For example, in New Hampshire, New Mexico, New Jersey, North Carolina and Ohio.

144. For example, in Nevada.

145. For example, in Alaska.

Mississippi, Rhode Island and South Carolina have less rigorous requirements for contribution and expenditure reports. Georgia requires only contribution reports. In Maryland, the contents are not specified, but the statute provides that their form is to be prescribed by the Board.

Unlike in Canada, pre-election reports are common in the U.S. Forty-three states,¹⁴⁶ the District of Columbia, and Congress provide for pre-election filing of contribution and expenditure reports. The underlying rationale seems directed toward the educative effect on the voting public which may affect the outcome of the election. Critics have attacked the rationale on several grounds. They point out that the effectiveness of the reports is dependent on their dissemination to the public. The media, however, is unlikely to monitor all of the reports, but rather will focus on the major candidates or a particularly scandalous practice. The possible prejudicial effect of a disclosure lacking in careful analysis or placed out of context, would defeat the purpose of such reports. It would be far better to have the election determined on the substantive issues rather than distort

146. Alabama, Missouri, New Mexico and Wyoming require post-election reports only. Iowa requires the filing of quarterly reports.

these issues by drawing attention to the mechanics of the election as worthy of consideration in the final outcome.

All jurisdictions (except North Dakota) require the filing of post-election returns. In addition, fifteen states require supplementary statements and twenty states, the District of Columbia and Congress require annual statements. Generally, the statements are filed with the Secretary of State, the State Board of Elections, or the Commission charged with overseeing the election finance laws.

4.5 Enforcement

Penalties for contraventions vary from state to state. Most provide for fines which range from \$100¹⁴⁷ to \$50,000,¹⁴⁸ depending on the infraction. Thirty-one states impose prison terms ranging from 30 days¹⁴⁹ to 10 years,¹⁵⁰ again depending on the infraction. In most cases, the infraction is a criminal offence and is characterized as a misdemeanor. Some states, therefore, do not specify the sanctions against the particular infraction, but rather leave it to be disposed of under the general criminal law of the state.

147. New Mexico

148. Massachusetts

149. E.g. Iowa

150. Alabama

If the offence is one involving a wilful evasion of the law, there is a tendency in some states to classify the offence as a felony.¹⁵¹ Where this characterization has been made, it appears likely that all the elements -- mens rea, actus reus -- must be present before a conviction can be secured.

Other sanctions include disqualification from holding or running for office, disenfranchisement, payment of Court costs and civil liability.

The bodies charged with administering the election finance laws vary from state to state. The general practice is to bring the administrative responsibility within the ambit of the Secretary of State or the State Board of Elections. Seventeen states, however, have set up special Commissions charged with overseeing the election finance laws.¹⁵²

Whether a separate Commission or part of a larger agency, the powers and duties accorded the administrative body are generally the same. These include retaining reports filed, making reports available for public

151. Florida, Georgia, Indiana, Minnesota, New Jersey, New Mexico and New York.

152. Alaska, Delaware, Florida, Hawaii, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Montana, Nebraska, New Jersey, South Carolina, Tennessee and Washington. In addition, Congress and the District of Columbia have set up administrative commissions.

inspection, furnishing forms, furnishing guidelines, inspecting reports filed, notifying delinquents upon discovery of apparent violations and reporting any violations to the Attorney-General.

4.6 Public Funding

Twenty-seven states, the District of Columbia, and Congress provide various tax incentives to promote greater participation of the taxpayer in the election process. Eleven states¹⁵³ offer direct tax deductions, while fourteen states¹⁵⁴ allow indirect deductions. Tax credits are used by five states¹⁵⁵ and the District of Columbia, while both tax deductions and tax credits are used in Congressional elections.

Another form of tax credit not used in Canada has been adopted by eleven states and by Congress.¹⁵⁶ The income tax checkoff, as it is called, allows a taxpayer to allocate a portion of his assessed tax payable to the support of a political party or to a general financing fund.

153. Arizona, Arkansas, California, Hawaii, Iowa, Michigan, Minnesota, New Mexico, Oklahoma, Utah and Wisconsin.

154. Delaware, Idaho, Kansas, Kentucky, Maine, Maryland, Missouri, Montana, Nebraska, New York, North Dakota, Vermont, Virginia and West Virginia.

155. Alaska, Idaho, Minnesota, Oregon and Vermont.

156. Idaho, Iowa, Kentucky, Michigan, Minnesota, Montana, New Jersey, Rhode Island, Utah and Wisconsin.

The income tax surcharge, used by three states¹⁵⁷ is a variation of the income tax checkoff. In Massachusetts, every individual who files a separate state income tax return and whose income tax liability is one dollar or more may voluntarily contribute one additional dollar over his tax liability to be paid over to the state election campaign fund.

Both the income tax checkoff and the surcharge appear to be the most equitable of the tax incentives. Unlike the other funding schemes, they are not as dependent upon taxpayer income. Every taxpayer is accorded the same opportunity to contribute to the election process without regard to income. There is, however, one major drawback. Funds sufficient to totally finance an election might not be generated by these funding schemes. In any event, participation in the political process should be encouraged and tax deductions and credits are an integral part of the overall incentive system.

Government financing schemes are of two types. In the first, the Government acts merely as a conduit, funneling payments to the parties designated by the taxpayer using

157. Maine, Massachusetts and Maryland.

the income tax checkoff.¹⁵⁸ Where payments have been made to a general fund, some simple formula -- e.g. share of votes in last election -- is used to determine entitlement.¹⁵⁹

The second type of financing involves complicated formulae and provisions to determine entitlement. Often the "seed money" concept is involved. i.e. -- entitlement is based on certain qualifying contributions. Once a specified contribution has been reached, the candidate is entitled to public money on, say, a \$1 government to \$1 contribution in excess of the seed level. Four states¹⁶⁰ and Congress have adopted such funding schemes.

158. Iowa, Kentucky, Maine, Montana, Oregon and Utah use this simple method.

159. Idaho, Minnesota and Rhode Island use this method.

160. Maryland, Massachusetts, Michigan and New Jersey. For detail see Appendix.

L E G I S L A T I O N

CANADA

AND

UNITED STATES

Date: 22 / 08 / 77

REFERENCE

The Election Expenses Act, (1974),
21-22 Elizabeth 11, c.51, amending
the Canada Elections Act.

NAME CANADA

ADDRESS

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes x

To: CEO x Commission _____
Secretary of State _____

Detail:	name	address	amount	threshold amount	date	(1) employer/purpose	(2)
1 contribution	x		x	\$100			
2 expenditure	x	x	x	\$25	x	x	

Time of filing:
primary before after
general election 6 months

Comments:
Also contributions to be broken by class
of donor.

Expenditures under \$25 to be reported by
totals.

PUBLIC DISCLOSURE

By: CEO
How long records kept: 6 months
Manner of disclosure: public inspection
publication in local newspaper

COMMISSION

Name:
Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

Composition:

AGENCY

Candidate's agent: Chief agent
Function: same

Committee's agent: Chief agent
Function: 1. receive contributions
2. authorize expenditures
3. keep records
4. file reports

FUNDING PROVISIONS

Manner: tax deduction	<u>x</u>
tax credit	<u> </u>
tax checkoff	<u> </u>
reimbursement	<u>x</u>
other	<u> </u>

* see below

Detail: Candidates elected or polling more than 15% of the vote receive the lesser of

1. actual expenses, or
2. aggregate of: a. postage expenses; b. 8¢ for each of the first 25,000 names on the list of electors; c. 6¢ for each name in excess of 25,000; and, if qualifying a travelling expense - 1¢ x no. of square miles in electoral district, plus \$3000.

EXPENDITURE LIMITATIONS

Provisions:

1. Candidate: a. \$1 for each of the first 15,000 names appearing on the preliminary lists of electors for the electoral district; plus b. 50¢ for each name greater than 15,000 but not greater than 25,000; plus c. 25¢ for each name in excess of 25,000.
2. Registered party: aggregate of 30¢ for a name appearing on all preliminary lists of electors for the electoral districts in which there is an official candidate of the party.

CONTRIBUTION LIMITATIONS

Provisions:

Advertising Regulation:

1. Each broadcaster must make available a total of 6½ hours prime time to registered political parties.
2. Rates charged must not exceed lowest applicable rate.

PENALTIES

- | | |
|--|------------------------|
| 1. Exceeding expenditure limitations | - \$25,000 fine (max.) |
| 2. Failure to file or filing a false statement | - \$25,000 fine |
| 3. Violating broadcasting provisions | - \$25,000 fine |

FUNDING PROVISIONS

- A. Tax Deduction
- (a) 75% of the amount contributed if the amount contributed does not exceed \$100;
 - (b) \$75 plus 50% of the amount by which the amount contributed exceeds \$100 if the amount contributed exceeds \$100 but not \$550
 - (c) lesser of
 - (1) \$300 plus 33 1/3% of the amount by which the amount contributed exceeds \$550.
 - (2) \$500.

Date: 15 / 06 / 77.

REFERENCE

The Election Finances and Contributions
Disclosure Act, 1977, S. Alta 1977,
c.18.

NAME ALBERTA

ADDRESS

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other party

Forms: yes
Audit: yes x

To: CEO x Commission
Secretary of State

Detail:	name	address	amount	threshold amount	date	(1)	(2)
						employer	purpose
1 contribution	x	x	x	\$25	x		
2 expenditure							

Time of filing:
primary before after
general election 6 months

Audited statements of assets and
liabilities and of receipts and
payments to be filed annually by
March 31

PUBLIC DISCLOSURE

By: CEO
How long records kept: Two years.
Manner of disclosure: public inspection

Comments:
Returns to show totals of contributions
1. less than \$25 received from a single contributor
2. between \$25 and \$250 received from a single contributor
Annual returns to exclude information contained in campaign returns.

Individual amounts contributed and the name and address of the contributor to be specified where his aggregate contributions exceeds \$250 during the year.

COMMISSION

Name:
Duties: receive reports
investigate
publicize reports
refer violations to AG
other

Composition:

AGENCY

Candidate's agent: C.F.O.
Function:
. keep records
. issue receipts
. receive contributions
. file financial statements

Committee's agent: C.F.O.
Function: same

FUNDING PROVISIONS

Manner: tax deduction	x*
tax credit	—
tax checkoff	—
reimbursement	—
other	—

*starting taxation year 1978

Detail: 1. 75 % of contribution if totals not greater than \$100
2. \$75 plus 50% of contribution if total is greater than \$100 but less than \$550. Or,
3. lesser of (i) \$500, and (ii) \$300, plus 33 1/3% of amount in excess of \$550;
or, the amount of tax payable, whichever is less.

EXPENDITURE LIMITATIONS

Provisions: None

CONTRIBUTION LIMITATIONS

Provisions:

1. By persons, corporations, and trade unions
 - (i) annually - a. \$10,000 to each registered party
 - b. \$500 to each registered constituency association, not to exceed \$2500 total to any one party
 - (ii) during campaign, in addition to the above,
 - a. \$5000 to each registered party
 - b. \$1000 to each registered candidate, not to exceed \$5000 total to any one party

over to C.E.O. Amounts less than \$50 raised at a fund raising function - 1/2 amount is considered as an expense, the balance as a contribution for amounts greater than \$50, \$25 considered as expenses, balance as contributions. Individual amounts under \$25 given at meetings not contributions. Contributions of less than 10¢ per month by any member of a trade union or employee organization are not considered contributions by the member. Funds received during campaign period from federal political party not considered contributions (max. \$100 per candidate)

2. Prohibition against anonymous contributions greater than \$25 - must be returned or paid

PENALTIES - ss. 42-46

1. Exceeding limits - trade unions, coporations - \$10,000 fine
- individuals - \$ 1,000 fine
2. Failure to file - C. F. O. - \$ 1,000 fine
- party for whom C.F.O. acts - \$ 5,000 fine
- constituency association or candidate for whom C.F.O. acts - \$ 1,000 fine
- candidate - ineligible to sit in Assembly
3. Contravention of the Act by corporation, trade unions, or employee organizations - \$1,000 fine
4. Contravention of the Act by individuals - \$1,000 fine

Date: 25 /08 / 77

REFERENCE

The Provincial Elections Act, RSBC 1960,
c. 306, ss 172-179, 191, as amended

NAME

BRITISH COLUMBIA

ADDRESS

DISCLOSURE PROVISIONS ss 174, 177

REPORTING REQUIREMENTS

By: candidate X committee X
other _____

Forms: yes X
Audit: yes _____

To: CEO X Commission _____
Secretary of State _____

Detail: _____ (1) (2)
name address amount threshold amount date employer/purpose

- 1 contribution
- 2 expenditure

Time of filing: before after
primary
general election 60

Comments:

- 1. All electoral expenses.
- 2. All disputed and unpaid claims.

PUBLIC DISCLOSURE

By:
How long records kept:
Manner of disclosure:

COMMISSION

Name:
Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

Composition:

AGENCY s. 172

Candidate's agent: official agent
Function: 1. receive contributions
2. authorize expenditures
3. verify and file reports

Committee's agent: secretary and treasurer
Function: same

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. Allowable expenditures specified (s. 175)
2. No person to receive pay for promoting election unless for services within categories of allowable expenditures. (s. 175)

CONTRIBUTION LIMITATIONS

Provisions:

PENALTIES s. 179

- | | |
|---|--|
| 1. Person making payment otherwise than through official agent (s. 172) | - \$250 fine |
| 2. Other violations of provisions | - min. \$200 fine, max. \$1,000 fine; in default of payment - 6 months imprisonment. |

Date: 25 / 08 / 77

REFERENCE

The Election Act, R.S.M, c.E-30, updated to 1971.

NAME

MANITOBA

ADDRESS

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee _____
other _____ party _____

Forms: yes _____
Audit: yes x

To: CEO x Commission _____
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	all	x		
2 expenditure	x	x	x	all	x	x	

Time of filing:

before _____ after _____
primary _____
general election 60

Party must also file a detailed list of cash donations received exceeding \$100. Candidates must similarly file for cash donations exceeding \$50.

Comments:

Annual statements must be filed detailing every contribution and expenditure exceeding \$250.

Advertising media must file statements detailing advertising carried, including rates charged.

PUBLIC DISCLOSURE

By: CEO

How long records kept:

Manner of disclosure: Abstract published in The Manitoba Gazette.

COMMISSION

Name:

Composition:

Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

AGENCY

Candidate's agent:

Function:

Committee's agent: Central campaign agent

Function: 1. authorize expenditures
2. file statements

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail:

EXPENDITURE LIMITATIONS

Provisions:

1. By candidate: 40¢ / elector in a constituency
2. By party: 8¢ / elector in all districts in which party has candidates.

Advertising Regulation:

1. All election advertisements must be authorized and properly identified.

CONTRIBUTION LIMITATIONS

Provisions:

1. Business concerns having gain for corporate object may not contribute.

PENALTIES

1. Failure to file
2. Filing a false return

- prohibited from taking office until statement is filed; fine of \$25/day for each day's delay.

- \$400 fine

Date: 03/ 01/ 79

REFERENCE

Political Process Financing Act, 1978

NAME

NEW BRUNSWICK

ADDRESS

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

by: candidate committee x
other party

Forms: yes x
Audit: yes x

to: CEO Commission x
Secretary of State

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	<u>(1) employer</u>	<u>(2) purpose</u>
--	-------------	----------------	---------------	-------------------------	-------------	---------------------	--------------------

contribution	x	x	x	\$100			
expenditure							

Time of filing:

before after

Primary
General election

by October 1 for first six months, April
for last six months. If deadline falls
during an election period, the date is
extended 90 days from polling date

Comments:

Also, all expenditures other than election
expenses are to be reported, all receipts
and invoices to be attached to reports.

PUBLIC DISCLOSURE

How long records kept:
Manner of disclosure:

COMMISSION

Name:
Activities: receive reports x
investigate x
publicize reports x
refer violations to AG x
other draw up forms and guidelines

Composition: Supervisor appointed by Lt.Governor
in Council with approval of
Legislative Assembly. Advisory
Committee composed of two repre-
sentatives of every party holding
seats in the House.

AGENCY

Candidate's agent: official representative
Function: 1. authorize expenditures
2. receive contributions
3. keep records and issue receipts
4. file reports

Party's agent: official representative
Function: same

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

Expenditures other than election expenses

- registered parties: \$25,000/year
- individuals, district associations: \$200/year

Advertising Regulation:

Every advertisement must be identified as to source.

CONTRIBUTION LIMITATIONS

Provisions:

Calendar year: \$ 3,000
Election year: \$ 6,000

Prohibition against:

1. anonymous contributions
2. cash contributions in excess of \$100
3. contributions in the name of another

PENALTIES

- | | |
|--|---|
| 1. Exceeding limits, wilfully filing a false statement | - \$10,000 fine, 3 months' imprisonment, election of candidate null and void. |
| 2. A candidate whose official agent with knowledge of the candidate commits an above offence | - \$1,000 fine, 3 months' imprisonment, election of candidate null and void. |
| 3. Individuals otherwise violating the Act | - \$1,000 fine |
| 4. Corporations and unions otherwise violating the Act | - \$10,000 fine |

Date: 25 / 08/ 77

REFERENCE

The Election Act, R.S. Nfld., 1970,
c. 106, s.s. 112 - 121.

NAME NEWFOUNDLAND

ADDRESS

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS s.121(9)

By: candidate x committee ____
other _____

Forms: yes ____
Audit: yes ____

To: CEO ____ Commission ____
~~Secretary of State~~ x Minister

Detail: _____ (1) (2)
 name address amount threshold amount date employer/purpose

1 contribution
2 expenditure

Time of filing:

before after

Comments:

primary
general election 4 months
A detailed statement of all election
expenses must be filed. All outstanding
claims must be paid by candidate
within 3 months after the election.

PUBLIC DISCLOSURE s.121(10)

By: Minister

How long records kept: 6 months

Manner of disclosure: public inspection

COMMISSION

Name: _____ Composition:

Duties: receive reports ____
investigate ____
publicize reports ____
refer violations to AG ____
other _____

AGENCY s.121(1)

Candidate's agent: official agent
Function: 1. file reports.

Committee's agent:
Function:

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail:

EXPENDITURE LIMITATIONS

Provisions:

Advertising Regulation:

1. All advertisements must be properly identified.

CONTRIBUTION LIMITATIONS

Provisions:

PENALTIES s.120

1. Failure to file - fine of \$10/day for each day of delay.
2. Filing a false statement - \$500 fine, 3 months imprisonment in default of payment

Date: 25 / 08/ 77

REFERENCE

Elections Act, RSNS 1967, c. 83 as
amended 1969, c. 40.

NAME NOVA SCOTIA

ADDRESS

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee ____
other party ____

Forms: yes x
Audit: yes ____

To: CEO x Commission ____
Secretary of State ____

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution							
2 expenditure	x		x	all	x	x	

Time of filing:

before after

Comments:

primary
general election
Candidate report must be filed within
60 days of return of writ of election,
party report within 6 months.

Vouchers, invoices, or receipts must be
furnished for expenditures of \$25 or more.

PUBLIC DISCLOSURE s.169C

By: CEO

How long records kept: 6 months by returning officer, then for 1 year by CEO

Manner of disclosure: 1. publish summary in newspaper
2. public inspection
3. summary of party reports in official Gazette

COMMISSION

Name:

Composition:

Duties: receive reports ____
investigate ____
publicize reports ____
refer violations to AG ____
other ____

AGENCY

Candidate's agent: Official agent (req'd.) Committee's agent: Official agent
Function: 1. authorize expenditures Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	<u> x </u>	
	other	_____	

Candidates elected or receiving at least 15% of the vote are entitled to reimbursement of expenses not to exceed 25¢ per listed elector.

EXPENDITURE LIMITATIONS

Provisions:

- | | |
|---|---|
| 1. General election - candidate: | 2. General election - party: |
| a. \$1/elector to first 5,000 electors | 40¢ x number of electors in districts |
| b. 85¢/elector for number greater than 5,000 but less than 10,000 | where the party has 1 or more candidates. |
| c. 75¢/elector for number above 10,000 | |

CONTRIBUTION LIMITATIONS

Provisions:

Advertising Regulation:

1. Every advertisement to be properly identified.

PENALTIES

- | | |
|---|--|
| 1. Exceeding expenditure limitations, filing a false report, illegal payment of claim | - guilty of corrupt practice, prohibited from holding office for 5 years, subject to penalty for general violation. |
| 2. General violation of Act. | - \$2,000 fine, 2 years imprisonment. |
| 3. Failure to file | - disqualified from sitting until reports are filed, fine of \$500/day for each day in which he sat or voted in the House. |

Date: 23 / 08 / 77

REFERENCE

The Election Finances Reform Act, 1975,
S.O., c.12, as amended by 1975, c.83.

NAME

ONTARIO

ADDRESS

Commission on Election Contributions
and Expenses,
8th Floor, 151 Bloor St. W.,
Toronto, Ont.
M7A 1A2

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee _____ Forms: yes x
other party, constituency assn. Audit: yes x

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$10			
2 expenditure			x	all	x	x	

Time of filing: _____ Comments: _____

Primary before after
General election 6 months

FO of every registered political party
and constituency association must file
annual statement on or before 31st of May.

PUBLIC DISCLOSURE

By: Commission on Election Contributions and Expenses
How long records kept:
Manner of disclosure: publish summary in local newspaper
public inspection

COMMISSION

Name: see above
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other see s.4 of Act

Composition: 2 persons from each party holding
4 seats in the Assembly and which nominated
candidates in at least 50% of the electoral
districts in the last election, a bencher from
the Law Society of Upper Canada, the Chief
Electoral Officer and the Chairman.

AGENCY

Candidate's agent: Chief Financial Officer
Function: 1. receive contributions
2. authorize expenditures
3. keep accounts and records
4. file reports
Committee's agent: Chief Financial Officer
Function: same

FUNDING PROVISIONS

Manner:	tax deduction	_____
	tax credit	_____ <u>x</u>
	tax checkoff	_____
	reimbursement	_____ <u>x</u>
	other	_____

Detail: Candidates receiving at least 15% of the popular vote receive reimbursement for lesser of campaign expenses or aggregate of 16¢ per voter for the first 25,000 voters in the electoral district and 14¢ for each voter in excess of 25,000; slightly more in northern regions. Also a subsidy for auditor costs.

EXPENDITURE LIMITATIONS

Provisions:

Advertising:

1. Advertising expenses limited to:

- a. for registered parties in a general election
-25¢ x no. of names appearing on all lists of voters for districts in which there is a party candidate
- b. for registered parties in a by-election - 50¢ x no. of names on lists.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals, corporations, unions:
 - (a) annually - \$2,000 to each registered party; \$500 to each registered constituency association not to exceed \$2,000 in aggregate
 - (b) during campaign, in addition to above - \$2,000 to each registered party; \$500 to each registered candidate not to exceed \$2,000 in aggregate.
2. By Federal political parties:
\$100 for each registered candidate endorsed by that party.
3. Advertising having value in excess of \$100 paid for by an individual, corporation, or trade union on behalf of a candidate with his knowledge and consent is considered a contribution.

c. for registered constituency association registered candidate - 25¢ x no. of names on revised list for the electoral district.

2. Advertising period: 21 days before polling day to 2 days before polling day.
3. Rates charged must be the lowest for the category of advertising.

4. Prohibition against:

- a. contributions in the name of another
- b. cash contributions above \$10
- c. anonymous contributions
- d. contributions from non-residents

PENALTIES

- | | |
|--|--|
| 1. Exceeding contribution limits | - individuals - \$ 1,000 fine
corporations- \$10,000 fine
unions - \$10,000 fine |
| 2. Accepting excess contributions, exceeding expenditure limitations | - individuals - \$ 1,000 fine
party - \$ 2,000 fine |
| 3. Failure to file, filing a false report | - \$1,000 fine, party \$2,000 fine |
| 4. Candidate's failure to file | - ineligible to sit or run for office until statement is filed. |

Date: 29 / 5 / 78

REFERENCE NAME QUEBEC
Bill 2: An Act to govern the financing of political parties and to amend the Election Act ADDRESS

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x Forms: yes x
 other parties Audit: yes x
 To: CEO Commission x
 Secretary of State

Detail: (1) (2)
name address amount threshold amount date employer/purpose
 1 contribution x x x \$100
 2 expenditure x \$ 25

Time of filing: before after Comments: Association returns to be filed for the year by Dec. 31.
 primary
 general election 90*,60 & 120** *contribution return

Each year financial reports for the party to be submitted by Oct. 1, covering first 6 months, and Apr. 1 covering last 6 months of previous year. **expenditure returns by candidate and party respectively.

PUBLIC DISCLOSURE

By: Director General
 How long records kept:
 Manner of disclosure: 1. public inspection
 2. report to National Assembly

COMMISSION

The Director General of Financing
 Name: Political Parties Composition:
 Duties: receive reports x
 investigate x
 publicize reports x
 refer violations to AG
 other issue guidelines

AGENCY

Candidate's agent: Official representative Committee's agent: Official representative
 Function: 1. authorize expenditures Function: same
 2. receive contributions
 3. submit returns
 4. issue receipts
 5. keep records

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail: see below

EXPENDITURE LIMITATIONS

Provisions:

1. Party: 25¢/elector in all districts in which the party has candidates (ii) other elections: above amounts increased by 25¢/elector
2. Candidates (i) general election: 60¢/elector up to 10,000 electors, 50¢/elector up to 20,000 and 40¢/elector in excess of that number. (iii) specified districts: above amounts increased by 10¢/elector

CONTRIBUTION LIMITATIONS

Provisions:

1. Electors: \$3,000/year out of his own property.
Only electors may make contributions
2. Prohibition against:
 - (i) anonymous contributions over \$100
 - (ii) cash contributions over \$100

PENALTIES

1. Violating contribution regulation provisions -- Fine of not less than \$1,000 nor more than \$25,000.
2. Exceeding expenditure limitations, filing a false return or producing a false invoice -- Corrupt practice - \$100 to \$1,000 fine, 1 month to 1 year imprisonment.
3. Failure to file -- Disqualified from sitting in the National Assembly, \$500 fine + costs for every day he sat or voted.
4. Other violations of the Act. -- \$100 - \$500 fine, 6 months imprisonment

FUNDING PROVISIONS

- A. Reimbursement: To candidates receiving at least 20% of all valid votes cast:
 1. up to 15¢/elector
 2. plus an amount equal to one-fifth of the election expenses incurred in excess of 15¢/elector, but not in excess of 40¢/elector.
 3. plus all that portion of election expenses in excess of 40¢/elector.
- B. Public Funding: A sum equal to 25¢ x number of electors on the electoral list will be divided between the parties in proportion to the percentage of the valid votes obtained by them at the last general election. The allowance shall be paid at a rate of one-twelfth per month.

Date: 23 / 06 / 78

REFERENCE

NAME

SASKATCHEWAN

The Election Act, 1971, S. Sask. 1971, c.10, as amended by 1973-74, c. 36, 1974-75, c.13 and by Bill No.70 of 1978

ADDRESS

Ms. Carole Y. Bryant,
Chief Electoral Officer,
2349 Broad Street,
Regina, Saskatchewan.
S4P 1Y9

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS ss. 203G, 203H, 203O

By: candidate _____ committee _____
other _____

Forms: yes x
Audit: yes x

To: CEO x Commission _____
Secretary of State _____

Registration: yes x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$100		occupation	
2 expenditure	x	x	x	\$ 25		x	

Time of filing:

before after

primary
general election

Reports must be filed within 3 months for candidates, and six months for parties.
Reports from broadcasters and publishers to be filed within 2 months: s. 203Y.

- Comments: 1. Total contributions received to be specified and broken down by class of donors.
2. Total proceeds from ticket sales and other fund-raising functions to be included in return.
3. All expenditures to be supported by a voucher or proof of payment.
4. Broadcasters and publishers to file reports detailing name and address of advertiser and the amount charged: s. 203Y.

PUBLIC DISCLOSURE ss 203O, 203S

By: CEO
How long records kept: 6 months
Manner of disclosure: 1. publisher summary in newspaper, Gazette
2. public inspection

COMMISSION

Name:

Composition:

Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

AGENCY ss 203C, 203D, 203G, 203H, 203L, 203N, 203O

Candidate's agent: Business manager Party's agent: Chief Official Agent
Function: 1.incur and authorize expenditures Function: same
2.receive contributions
3.maintain records
4.file reports

FUNDING PROVISIONS s. 203T

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement x
other _____

1. Parties endorsing candidates who received in the aggregate at least 15% of the vote are entitled to the lesser of:
(a) \$75,000, and

EXPENDITURE LIMITATIONS ss.203E, 203K, 203AA

Provisions:

1. By a party in a general election: expenses not to exceed \$250,000.
2. By candidates south of the dividing line: greater of \$15,000 or \$1/elector.
3. By candidates north of the dividing line: greater of \$20,000 or \$2/elector

Detail:

- (b) 1/3 of expenses incurred by the parties south of the dividing line.
2. Candidates receiving at least 15% of the vote are entitled to the lesser of:
(a) 50¢/elector in the district, and
(b) 50% of expenses actually incurred.
3. Candidates north of the dividing line receiving at least 15% of the vote are entitled to 50% of expenses incurred.

4. Total expenses for advertising incurred by a registered party and by a constituency association with funds provided by the party are not to exceed \$75,000/fiscal year.
5. Allowable expenditures specified.

CONTRIBUTION LIMITATIONS ss. 203P, 203Q, 203R

Provisions:

1. Prohibition against:
 - (a) anonymous contributions exceeding \$100
 - (b) contributions out of someone else's money unless an agent is used and the name of the principal is disclosed
 - (c) contributions from a person outside Canada

PENALTIES

1. Contravention of the Act - \$5,000 fine, 6 months imprisonment
2. Contravention of the Act by a registered agent of a registered party - \$5,000 fine

Date: 12 / 08 / 77

REFERENCE

Federal Election Campaign Act of 1971,
Titles 2 and 26, United States Code
Annotated, as amended by P.L. 93-443
(1974) and P.L. 94-283 (1976)
Also Buckley v. Valeo, 96 S. Ct. 612 (1976)

NAME

UNITED STATES

ADDRESS

Federal Election Commission
1325 K Street, N.W.,
Washington, D.C. 20463

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes

To: CEO Commission x
Secretary of State

				(1)	(2)	
	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	<u>employer/purpose</u>
1 contribution	x	x	x	\$100		x
2 expenditure	x		x	\$100	x	x

Time of filing:

	<u>before</u>	<u>after</u>
primary	10	30
general election	10	30

1. Quarterly reports on 10th of April,
July, October, and January for
quarters where more than \$1,000
was spent or received, in an
election year

Comments:

2. Quarterly reports in a year where individual
is a candidate but not up for election re-
quired only if \$5,000 or more as received or
spent in that quarter; annual reports to be
filed between Dec. 31 of that year and Jan. 31
of following calendar year.
3. Contributions of \$1,000 or more received after
15 days but more than 48 hours prior to an
election to be reported within 48 hours after
receipt.

PUBLIC DISCLOSURE

By: Commission

How long records kept: 10 years; 5 years for House of Representatives

Manner of disclosure: public inspection

COMMISSION

Name: Federal Election Commission

Duties: receive reports x
investigate x
publicize reports
refer violations to AG x
other prescribe rules, forms

Composition: Secretary of the Senate, Clerk of the
House of Representatives, plus six members appoint-
ed by the President by and with the advice and
consent of the Senate (no more than three members
from the same party).

AGENCY

Candidate's agent: principal campaign
Function: committee

Committee's agent: Chairman, treasurer
Function: 1. receive contributions
2. authorize expenditures
3. keep accounts and records
4. file reports

FUNDING PROVISIONS

Manner:	tax deduction	<u>x</u>
	tax credit	<u>x</u>
	tax checkoff	<u>x</u>
	reimbursement	<u> </u>
	other	<u> </u>

Detail:

1. Tax deduction - \$100, \$200 for joint return
or
2. Tax credit - \$25, \$50 for joint return.
3. Tax checkoff - \$1 to be paid over to
Presidential Election Campaign Fund.

see also addendum.

EXPENDITURE LIMITATIONS

Provisions:

1. Presidential candidates (receiving funding)
 - a. \$10,000,000/ primary, no more than greater of 16¢ x voting population of the State or \$200,000, in any one State.
 - b. \$20,000,000/general election.Above amounts adjusted based on changes in the price index (100=1974)
2. National committee: 2¢ x voting population of U.S., for any presidential candidate.
3. National committee:
 - a. greater of 2¢ x voting population of state or \$20,000 for U.S. Senator.
 - b. \$10,000 for U.S. Representative.
4. Advertising regulations - see addendum.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals to:
 - a. any candidate or authorized committee - \$1,000/election
 - b. political committees established & maintained by a national political party and not a candidate committee - \$20,000/year.
 - c. any other political committee - \$5,000/year.
2. By multicandidate political committees to:
 - a. any candidate or authorized committee - \$5,000/election
 - b. political committees established and maintained by a national political party-\$15,000/year.
 - c. any other political party-\$5,000/year.
3. Total individual contribution not to exceed \$25,000/year.
4. Limitations do not apply to transfers from political committees of the same party.
5. Prohibition against:
 - a. corporate and union contributions
 - b. contributions from foreign national
 - c. contributions in the name of another
 - d. cash contributions exceeding \$100

PENALTIES

1. Knowing and wilful violation of contribution or expenditure provisions where the amount in question is \$1,000 or more - Fine of greater of \$25,000 or 300% of amount in violation; 1 year imprisonment
2. Making contributions in the name of another or cash contributions greater than \$100 - Same penalty as above but only if amount in violation is \$250 or more
3. Three year limitation period

ADDENDUM

REFERENCE

NAME: UNITED STATES

United State Code, Annotated, Title 26 -
Internal Revenue Code, c.95 - Presidential
Election Campaign Fund, s.9001 to s.9012,
c.96--Presidential Primary Matching Payment
Account.

PROVISIONS

I. Presidential Nominating Conventions

A. Source of Funds

Funds are appropriated to the Presidential Election Campaign Fund (PECF) in an amount equal to that designated by taxpayers using the income tax checkoff.

B. Eligibility

The national committee of each major and minor political party which has filed a registration statement with the Commission, for which the Commission has verified such statement and certified to the Secretary of the Treasury, is eligible for funding.

C. Entitlements

Major party - up to \$2 million

Minor party - portion of above amount based on a ratio of votes received by the minor party candidate to the average number received by the major party candidates.

Expenditures for conventions are limited to the amount of the major party entitlement.

D. Adjustments

Overpayments, excess expenditures, surplus contributions, and payments improperly used must be paid back to the Secretary of the Treasury. Repayments, however, are not to exceed the amount received from the Fund. Anyone receiving kickbacks or illegal payments concerning campaign expenses must pay 125% of the amount over to the Secretary.

II. Presidential Primaries

A. Source of Funds

The Presidential Primary Matching Payment Account is established within the PECF.

B. Eligibility

Presidential candidates must agree to certain record-keeping and auditing requirements, expenditure and contribution limitations, and must have received contributions totalling at least \$5,000 from each of 20 States, with no single contribution exceeding \$250 from one person.

NAME: UNITED STATES

II. Presidential Primaries - Cont'd.

C. Entitlements

Eligible candidates will receive matching payments for each contribution of up to \$250 received during the presidential election and the preceding years, the total not to exceed 50% of the candidate's expenditure limitations.

- D. Overpayments and payments improperly used must be repaid to the Secretary of the Treasury. Amounts received from the Fund may be kept 6 months to extinguish obligations. Surplus funds after obligations eliminated to be repaid in the same ratio as payments from the Fund to total of all deposits made to the candidate's account. Persons receiving kickbacks or illegal payments concerning campaign expenses shall pay over 125% of the amount to the Secretary.

III. Presidential General Elections

A. Source of Funds

Funds appropriated to the PECF.

B. Eligibility

Candidates must agree in writing to certain record-keeping, disclosure, and auditing procedures to adhere to the expenditure limitations, and to restrict private contributions to the difference between expenditure limit and the amount received from the Fund.

C. Entitlements

- a. Major party candidates - a sum equal to the candidate's expenditure limitation
- b. Minor party candidates - an amount bearing the same ratio to the major party entitlement as the number of votes received in the last presidential election by the minor party candidate to the average of votes received by the major party candidates in that election.
- c. Other candidates, not of a major party, who were candidates themselves in the preceding presidential election and received between 5% and 25% of the vote are entitled to receive funds on the same basis as minor party candidates, for the candidate and his vice-presidential running mate.
- d. Minor or new party candidates who receive at least 5% of the votes cast are entitled, after the election, to payments in an amount bearing the same ratio to the major party candidate's entitlement as the number of votes received by the candidate to the average of votes received by the major party candidates.

D. Adjustments

See provision for presidential nominating conventions.

NAME: UNITED STATES

III. Presidential General Elections - Cont'd.

E. Advertising Regulation

1. All political advertisements must be properly identified.
2. Broadcast media rates are regulated to prevent excessive rates.
3. Excessive rates for newspaper or magazine advertising are prohibited.
4. All political committees must place a notice on the front page of their literature that a campaign statement has been filed with and is available from the Federal Election Commission.

Date: 14 / 07 / 77

REFERENCE

Code of Alabama, Title 17 - Elections,
c.22 - Corrupt Practices.

NAME

ALABAMA

ADDRESS

Secretary of State,
State Capital,
Montgomery, Alabama 36104

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate * committee x
other _____

Forms: yes x
Audit: yes x

To: CEO _____ Commission _____
Secretary of State x

* candidate must file affidavit supporting
committee's statement.

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x		x	\$10			
2 expenditure	x		x	\$ 5		x	

Time of filing:

	<u>before</u>	<u>after</u>
primary		15
general election		30

Comments:

PUBLIC DISCLOSURE

By:
How long records kept:
Manner of disclosure:

COMMISSION

Name: _____
Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

Composition:

AGENCY

Candidate's agent: one to five persons	(Committee)	Committee's agent: Treasurer
Function: 1. receive contributions		Function: 1. keep accounts and records
2. authorize expenditures		2. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:
Advertising:

1. Advertisements must be properly identified.

CONTRIBUTION LIMITATIONS

Provisions:

1. Corporate contributions prohibited
2. Contributions from employees in the classified service are prohibited.

PENALTIES

- | | |
|--------------------------|---|
| 1. Violations of the Act | - misdemeanor, \$500 fine, 6 months imprisonment. |
|--------------------------|---|

Date: 16 /06 /77

REFERENCE

Alaska Statutes. Title is - Elections
1974 Supp: c.13 State Election Campaigns
(1974), s.10-130.
HB 488, C.189, 6/25/75

NAME

ALASKA

ADDRESS

Elections Commission,
State Capital,
Juneau, Alaska.
U.S.A. 99801

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee ____
other Groups

Forms: yes x
Audit: yes ____

To: CEO ____ Commission x
Secretary of State ____

Forms must be sworn and certified.

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$100/yr. \$250/ election	x	occupation	
2 expenditure				all	x		

Time of filing:

	<u>before</u>	<u>after</u>
primary	30, 7	10
general election	30, 7	10

Comments: Must report services contributed
valued at \$250 or more.

Must file separate return as of Dec. 31 of
election year

December 31 of each year. Expenditures or
contributions over \$250 made within one
week of election must be reported within
24 hours.

Statements by contributors above \$100.
Contributions above \$250 received within
1 week of election must be reported
within 24 hours.

PUBLIC DISCLOSURE

By: Commission
How long records kept: no provision
Manner of disclosure: 1. publish summary
2. annual report to Assembly
3. open to public inspection.

COMMISSION

Name: Alaska Public Offices Commission
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other complaints procedure

Composition: 4 bi-partisan members
appointed by Governor; they appoint
a fifth. Five year term of office.
AG acts as legal counsel to the
Commission.

AGENCY

Candidate's agent: campaign treasurer (req'd)	Group's agent: campaign treasurer (req'd)
Function: 1. handles funds	Function: same
2. files reports	

FUNDING PROVISIONS

Manner: tax deduction x
tax credit
tax checkoff
reimbursement
other

Detail: 1. credit up to \$50.

EXPENDITURE LIMITATIONS

Provisions: 1. Governor, Lt-Governor-
primary - 50% of 40¢
x total population; general election-
50% of 40¢ x total population.

2. Senate, Assembly - \$1 x total population
of constituency divided by no. of seats in
Senate/Assembly. Applies to primary and
general combined.

Limits apply to candidate and all those
operating under his control. Personal travel
expenses or expenditures for opinion polls or
surveys made prior to filing for office are
included in candidates expenditure limitations.

NOTE: limitations may be unconstitutional
per Buckley v Valeo.

3. Expenditures over \$100 made in cash must be
evidenced by a receipt.

CONTRIBUTION LIMITATIONS

Provisions: \$1000/year for persons,
corporations, trade unions, political
committees. No limits on candidate &
family.

Advertising to carry name, address of
author, printer, and publisher,
c.55,s.15.55.30.

Prohibition against:

1. contributions above \$100 being in cash
2. contributions made in the name of another
3. anonymous contributions

Definition of "contribution" specified in Act.

PENALTIES

Violations - \$5,000 fine, one year imprisonment
4 year limitation period

Date: 16 / 06 / 77

REFERENCE

Arizona Revised Statutes, Annotated (1956)
Title 16-Elections and Electors, c.4
Campaign Expenses
1974 Supp: Amendments in SB 1138 (Laws
1974, c.197) (Am. 1970, 1974)

NAME

ARIZONA

ADDRESS

Secretary of State
State Capitol
Phoenix, Arizona. 85007

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee *
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

forms must be sworn

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	**		\$25			
2 expenditure				all *			

Time of filing:

	<u>before</u>	<u>after</u>
primary	10	20
general election	10	30

Comments:

* by committee only above \$25
** address only by committee
Contributors to candidates of above \$15
to notify candidate within 5 days

Annually by Apr. 1st., itemized financial
statement prepared by C.A. or notarized

PUBLIC DISCLOSURE

y:
ow long records kept:
anner of disclosure:

COMMISSION

ame: Ethics Commission
uties: receive reports _____
investigate x
publicize reports _____
refer violations to AG x
other _____

Composition:

AGENCY

andidate's agent: names of all persons who
unction: will handle money and
account for it.

Committee's agent: Chairman, Treasurer
Function: Treasurer to keep detailed account
of receipts and disbursements.
Expenditures above \$5 must be receipted
and receipts kept 15 months after
election. Chairman or Treasurer to
sign reports.

Must be submitted with nomination
petition. Duties - keep account of money

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail:

EXPENDITURE LIMITATIONS

Provisions:

10¢ x total population of election area
(min. \$500) for each of primary and
general elections.

Limit applies to the aggregate amount which
may be spent in aid of a candidacy.

Travelling expenses of candidate and
others who agree not to be repaid by
candidate, communication (written)
to constituents prior to 60 days
before election, are exempted.

CONTRIBUTION LIMITATIONS

Provisions:

Contributions by corporations and trade unions, anonymous contributions above
\$25 are prohibited.

PENALTIES

1. Exceeding expenditure limits - \$100-\$2,000 fine, 6 mo. - 1 yr. imprisonment,
barred from holding office
2. Knowingly failing to file or filing a false report - a. after primary \$25 - \$500
b. after general - misdemeanor
3. Unlawful contributions - \$500 - \$2,000 fine, 1 -3 yrs. imprisonment

Date: 17 / 06 / 77

REFERENCE

Campaign Finance Act, ss, 3-1109 to 3-1118
Arkansas Statutes, 1977.

NAME

ARKANSAS

ADDRESS

Secretary of State
Department of State
Little Rock, Arkansas 72201

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee _____
other _____

Forms: yes x must be sworn
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x and county clerk

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	<u>employer/purpose</u>
1 contribution	x	x	x	*		(1) and/or place of business
2 expenditure	(2) an account of each expenditure					

Time of filing:

	<u>before</u>	<u>after</u>
primary	25,7	30
general election	25,7	30

Subsequent to general election until fund is closed - 30 days after contributions received.
Expenditures reported in final and supplemental reports

Comments:

* \$250 statewide
\$100 school district township, municipal or county
\$100 interm reports
See 1971 Survey for more detail on primary reports

PUBLIC DISCLOSURE

By: Secretary of State
How long records kept: 5 years
Manner of disclosure: open to public inspection

COMMISSION (1974 Survey)

Name: Ethics Commission

Composition:

Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other personal financial _____
disclosure by officials

AGENCY

Candidate's agent:
Function:

Committee's agent:
Function:

FUNDING PROVISIONS

Manner:	tax deduction	<u>x</u>	Detail:	\$25 (1971 and 1974 Surveys)
	tax credit	<u> </u>		
	tax checkoff	<u> </u>		
	reimbursement	<u> </u>		
	other	<u> </u>		

CONTRIBUTION LIMITATIONS

Provisions: \$1000 / election limit for:

1. individuals
2. corporations
3. trade unions
4. associations

No limits on candidate or family.

Prohibition against:

1. contributions above \$100 being in cash
2. anonymous contributions above \$50
3. contributions made in the name of another

EXPENDITURE LIMITATIONS

Provisions: Prohibition against expenditures

above \$50 being made in cash.

Political propaganda to be identified
by word " ADVERTISEMENT " in
conspicuous letters.

PENALTIES Failure to comply with the Act - \$1000 and/or 1 year imprisonment

Date: 17 /06 / 77

REFERENCE

Political Reform Act of 1974 as
amended to January 1, 1977
Government Code Sections 81000 -
91014.
SB 1362 C.1106, 9/20/76

NAME

CALIFORNIA

ADDRESS

Secretary of State
State Capitol
Sacramento, California

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes x

To: CEO _____ Commission _____
Secretary of State x

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1)	(2)
						<u>employer/purpose</u>	
1 contribution	x	x	x	\$50	x	and occupation	
2 expenditure	x	x	x	\$50		x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	40, 12	65
general election	40, 12	65

If election is held within 60 days of
the primary, filing deadlines - 33,7
days before primary, 7 days before
general, 65 days after general.

Comments: Every candidate and committee
receiving contributions or making expenditures
must file semi-annual statements.
Jan. 1 - June 30: filing date July 31
July 1 - Dec. 31: filing date Jan. 31
Statement of organization by committees
10 days after their formation.
Rebuttable presumption that reports not
received have not been sent

PUBLIC DISCLOSURE

By: Secretary of State
How long records kept: 4 years
Manner of disclosure:
open to public inspection

COMMISSION

Name: Fair Political Practices Commission
Duties: receive reports _____
investigate x
publicize reports _____
refer violations to AG x
other prescribe forms, prepare
manuals, provide assistance,
levy fines up to \$2000.

Composition: 5 members including the Chairman.
Secretary of State, Attorney General, Controller
may each appoint one member. No more than three
members may be from the same political party.
4 year terms

AGENCY

Candidate's agent:
Function:

Committee's agent: Treasurer (req'd.)
Function: 1. authorize expenditures
2. report and receive contributions
3. keep accounts

FUNDING PROVISIONS

Manner:	tax deduction	<u>x</u>
	tax credit	—
	tax checkoff	—
	reimbursement	—
	other	_____

Detail: \$100 (1974 Survey)

EXPENDITURE LIMITATIONS

Provisions:

1. Governor - primary - 7¢ x voting age population
- general - 9¢ x voting age population.
2. Other Statewide - 3¢ x voting age population.
Amounts reduced 10% for incumbents
\$10,000 limit on independent committees

in five months preceding an election:
may file a statement of intent to make expenditures greater than \$10,000.00.
Must so file not less than 60 days prior to election.

CONTRIBUTION LIMITATIONS

Provisions: no limits

Prohibition against:

1. contributions above \$50 being in cash
2. contributions in the name of another
3. anonymous contributions above \$50

PENALTIES

1. Knowing or wilful violation - misdemeanor
2. In addition to other penalties provided by law, \$10,000 fine or three times the illegal amount, whichever is greater.
3. Two year limitation period.

Date: 17 /06 /77

REFERENCE

Colorado Revised Statutes, 1973
Title 1 - Elections, Art.12 - Offences:
General, Primary and Special Elections
1-13-151 - Reporting Campaign Expenses
SB 102, 6/29/75; SB 129, 5/28/76

NAME

COLORADO

ADDRESS

Secretary of State
State Capitol
Denver, Colorado 80203

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x sworn
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:	name	address	amount	threshold amount	date	(1) employer/purpose	(2)
1 contribution	x	x	x	\$25, \$100 *	x		
2 expenditure	x	x	x	\$25	x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	"	30
general election	"	30

Comments:

SB 102 - requires a large no. of candidates
to file a financial disclosure statement
SB 129 - requires post election contributions
to defray expenses, etc., to be reported by
Jan. 15 of the following year.
* \$25 contribution, \$100 in kind contribution.

Supplemental campaign statements to
be filed annually on the anniversary of the
election if there exists unexpected balances
or debts.

PUBLIC DISCLOSURE

By:

How long records kept:

Manner of disclosure:

COMMISSION none

Name:

Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

Composition:

NOTE: electors may file affidavits. The
District Attorney or Attorney-General must
prosecute. There is an Ethics Commission
for personal financial disclosures by
candidates.

AGENCY

Candidate's agent:

Function:

Committee's agent:

Function:

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail:

EXPENDITURE LIMITATIONS

Provisions: no limits

Advertising:

1. Rates charged may not exceed usual commercial rates.
2. Advertisements must be clearly identified as to sponsor.

1. Expenditures above \$100 must be made by cheque.

CONTRIBUTION LIMITATIONS

Provisions: no limits

PENALTIES

Knowingly failing to file or
filing a false report

- up to \$1000 fine, up to 1 year imprisonment

Delay in filing

- \$10/day

Date: 17 /06 / 77

REFERENCE

District of Columbia Code Encyclopedia,
annotated (1966) Part 1 - Government of
the District, Title 1 - Administration,
§ 11
Elections, s. 1 - 1101 to 1 - 1114, 1974-75
App. has amended s. 1 - 1113.
D.C. Law 1 - 79, 9/2/76

NAME

DISTRICT OF COLUMBIA

ADDRESS

Board of Elections,
District Building,
Washington, D.C. 20004

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

By: CEO _____ Commission x
Secretary of State _____

Forms: yes _____
Audit: yes _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer</u>	(2) <u>purpose</u>
contribution	x	x	x	\$50	x	x	
expenditure	x	x	x	\$10	x	x	

Time of filing:

before after
Primary 15,5
General election 15,5
Also 10 of March, June, August, October &
December of an election year; 31st January
of each year; and 31st July of each non-
election year.

Comments:

Contributors above \$50 also required to
file statement.
Quarterly reports of contributions and
expenditures to be filed as set forth
by the D.C. Board of Ethics and Elections.

PUBLIC DISCLOSURE

By: Director of Campaign Finance
How long records kept: 10 years
Manner of disclosure: public inspection

COMMISSION

By: Director of Campaign Finance
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other prescribe rules, forms

Composition:

AGENCY

Candidate's agent: principal campaign
Function: committee

Committee's agent: Treasurer
Function: 1. reporting
2. receiving contributions
3. authorizing expenditures

FUNDING PROVISIONS

Manner:	tax deduction	_____
	tax credit	_____x
	tax checkoff	_____
	reimbursement	_____
	other	_____

Detail: \$25, \$ \$50 for a joint return.

EXPENDITURE LIMITATIONS

Provisions:

1. D.C. Law 1 - 79, 9/2/76 - repeated all expenditure limitations on amounts.
2. All expenditures must be authorized and made by cheque.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals -- maximum \$2,000 of which no more than \$1,000 may be to a candidate for Mayor.
2. Corporations, unions, associations - maximum \$2,000 of which no more than \$2,000 may be to a candidate for Mayor
3. Prohibition against
 - a. cash contributions of \$50 or more
 - b. contributions in the name of another
 - c. anonymous contributions

PENALTIES

- | | |
|------------------------------------|--|
| 1. Wilful filing of a false report | - \$10,000 fine, 5 years imprisonment |
| 2. Violations of other provisions | - \$ 5,000 fine, 6 months imprisonment |

Date: 18 / 07 / 77

REFERENCE

NAME

CONNECTICUT

Connecticut General Statutes, Annotated (1975),

ADDRESS

Secretary of State,
State Capitol,
Hartford, Connecticut

06115

Title 9 - Elections, c.150 - Corrupt Practices
s. 9 - 333 to 9 - 348aa as amended by 1976
Public Acts 154, 157, 264 and 275.

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:	name	address	amount	threshold amount	date	(1)	(2)
						employer/purpose	
1 contribution	x	x	x	\$15			
2 expenditure	x	x	x	all		x	

Time of filing:	before		after		Comments:
primary	7		30*		
general election	30,7		45		

* candidate only.
Also 2nd Tuesday of January, April, July
and September; Supplemental reports every
90 days until deficit or surplus is eliminated.

PUBLIC DISCLOSURE

By:
How long records kept: until expiration of term of office
Manner of disclosure: public inspection

COMMISSION

Name: State Elections Commission
Duties: receive reports
investigate x
publicize reports
refer violations to AG x
other adopt rules & regulations

Composition: 5 members, one each appointed
by Governor, Speaker of the House, President
Pro Tempore of the Senate, and the Minority
Leaders of the House and Senate.

AGENCY

Candidate's agent:	principal campaign treasurer	Committee's agent:	campaign treasurer
Function:	1. receive contributions	Function:	same
	2. authorize expenditures		
	3. keep accounts and records		
	4. file reports		

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. all expenditures must be made by cheque, but a petty cash fund under \$100 may be established
2. all expenditures must be authorized in writing by the campaign treasurer or principal campaign treasurer.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individual to candidates for:
 - a. Governor - \$2500
 - b. Lt. Gov., Sec. of State - \$1500
 - c. State Senate - \$500
 - d. State Representative - \$250Total contributions limited to \$15,000/election
2. By individuals to
 - a. State Central Committee - \$2,500/year
 - b. Continuing Political Committee - \$5,000/year
3. By Organization Political Committees to
 - a. State Central Committee - \$2,500/year
 - b. Continuing Political Committee - \$1,000/year
4. By a Continuing Political Committee to the following without limitation:
 - a. another Continuing Political Committee
 - b. a candidate committee
 - c. a Political Committee
 - d. a Political Issue Committee
5. Prohibition against
 - a. corporate contributions
 - b. anonymous contributions above \$15.
 - c. cash contributions above \$50.
 - d. contributions in the name of another.

PENALTIES

1. Exceeding contribution limits - \$1,000 fine, 1 year imprisonment.
2. General violations of Act - \$1,000 fine, 1 year imprisonment.

Date: 17 / 06 / 77

REFERENCE

NAME

DELAWARE

Delaware Code Annotated, Revised 1974.
Title 15 - Elections 1974 Supp. (Dec. 31/74)
Part VI - Election Campaigns, c. 80-
Campaign Contributions & Expenditures,
s. 8001 - 8013 Campaign Financing and
Disclosure Act of 1974.

ADDRESS

Commissioner Of Elections
101 Court Street
Dover, Delaware 19901

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x sworn
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:	name	address	amount	threshold amount	date	(1)	(2)
						employer/purpose	
1 contribution	x	x	x	\$100	x		
2 expenditure	x	x	x	\$100	x		x

Time of filing:

before after

primary
general election
20 days before election * and by Dec. 31
of year following election
Subsequent to election until fund is
closed - Dec. 31 and each year thereafter.

Comments:

Certification of Superior Court that
reports have been filed required before
candidate gets certificate of election.

*both primary and general

PUBLIC DISCLOSURE

By: Commission
How long records kept: one year
Manner of disclosure:
open to public inspection

COMMISSION

Name: State Election Commission

Duties: receive reports x
investigate _____
publicize reports x
refer violations to AG _____
other _____

Composition:

AGENCY

Candidate's agent: Treasurer (optional)
Function: Assist candidate in keeping
records and filing reports.

Committee's agent: Treasurer (req'd.)
Function: Reporting

FUNDING PROVISIONS

Manner:		Detail:
tax deduction	_____	
tax credit	_____	
tax checkoff	_____	
reimbursement	_____	
other	_____	

EXPENDITURE LIMITATIONS

Provisions:

Primary:

1. Statewide - 25¢ x no. of registered voters
2. Senate - 25¢ x no. of registered voters or \$4,000, whichever is greater.
3. Assembly - greater of 25¢ x no. of registered voters or \$2000.
Advertising to carry "PAID FOR BY..."

General:

1. Statewide - 50¢ x no. of registered voters.
2. Senate - greater of 50¢ x no. of registered voters or \$8,000
3. Assembly - greater of 50¢ x no. of registered voters or \$4000.

Limits apply to candidate and committee. Expenditures must have candidate's written approval.

CONTRIBUTION LIMITATIONS

Provisions:

- By 1. individuals, corporations, unions
 - to both candidate and committee statewide: \$1,000
 - to both candidate and committee senate, rep:\$ 500
2. candidate and family: \$5,000.

Prohibition against:

1. contributions above \$50 being in cash
2. contributions in name of another
3. anonymous contributions.

PENALTIES

1. Exceeding contribution limits, accepting excess contributions - class B misdemeanor
2. Exceeding expenditure limits - two to ten times the excess is assessed as a fine
3. Knowingly failing to file or filing a false report - class B misdemeanor

Date: 21 / 07 / 77

REFERENCE

Florida Election Code, c. 106 of
Florida Statutes Annotated, as amended
by SB 563 (1977)

NAME

FLORIDA

ADDRESS

Division of Elections,
Department of State,
The Capitol,
Tallahassee, Florida 32304

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

By: CEO _____ Commission *
Secretary of State *

*officer before whom candidate is required
to qualify.

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
contribution	x	x	x	\$100**		and occupation	
expenditure	x	x	x	all @	x	x	

Time of filing:

primary before after
general election see addendum

Comments:

** if under \$100, occupation and employer
not required.

@ expenditures from petty cash need not be
itemized.

Persons making independent expenditures, with
respect to a candidate, of \$100 or more must
file a separate report.

PUBLIC DISCLOSURE

By: Division of Elections
How long records kept: 10 years
Manner of disclosure: public inspection

COMMISSION

Name: Division of Elections
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other prescribe rules, forms

Composition: 7 members appointed by the
Governor with approval of three members
of the Cabinet and subject to confirmation
from the Senate. No more than 4 members
from the same party.

AGENCY

Candidate's agent: campaign treasurer (req'd) Committee's agent: campaign treasurer
Function: 1. receive contributions Function: same
2. authorize expenditures
3. keep accounts and records
4. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

Advertising:

1. all advertising must be clearly identified
2. rates and charges for advertising may not exceed normal commercial rates.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals and political committees to
 - a. statewide candidates - \$3,000/election
 - b. statewide committees - \$3,000/election
 - c. non-statewide candidates - \$1,000/election
 - d. non-statewide committees - \$1,000/election

Limits do not apply to contributions by an executive committee of a political party or by a candidate for his own campaign.

2. Prohibition against
 - a. corporate contributions
 - b. contributions in the name of another
 - c. cash contributions above \$100

3. Contributions received 5 days before an election must be returned to donors.

note: "election" refers to either a primary or general election.

PENALTIES

1. Wilfully and knowingly filing a false report - 3rd degree felony.
2. Wilfully and knowingly violating contribution limitations - by persons - 1st degree misdemeanor
- by business entities - \$1,000 to \$10,000 fine, possible revocation of charter.
- penalty of twice the amount in violation in addition to above.
3. Generally, wilful violations of the Act - 1st degree misdemeanor.

ADDENDUM

REFERENCE

NAME: FLORIDA

S. 106.07 Florida Election Code,
Florida Statutes Annotated, as
amended by CS/SB 563 (1977).

TIME OF FILING

- (1) pre-election reports:
 - (a) first Monday of each calendar quarter from the time the campaign treasurer is appointed
 - (b) following the last day of qualifying for office
 - (i) Monday preceding the election for an unopposed candidate in seeking nomination and/or election.
 - (ii) Monday of each week preceding the election for candidates with opposition seeking statewide offices and for political committees involved in statewide elections
 - (iii) first and third Mondays of each month and the Monday immediately preceding the election for all other candidates and committees.
- (2) post-election reports: 45 days after the last election in a given election period in which a candidate or political committee participates, or 45 days after the election in which he/it is eliminated.
- (3) supplemental reports: if post-election report shows a deficit or balance remaining, the supplemental reports shall be filed on the first Monday of each calendar quarter until the account shows no balance or deficit and has been closed.

Date: 28 / 06 / 77

REFERENCE

Campaign and Financial Disclosure Act,
Ga. Laws 1974, pp 155-162 (Act No. 803)
as amended (1975, 1976, 1977)

NAME

GEORGIA

ADDRESS

Secretary of State,
214 State Capitol,
Atlanta, Georgia. 30334

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
--	-------------	----------------	---------------	-------------------------	-------------	--------------------------------	-----

1 contribution	x	x	x	\$100			
2 expenditure	x	x	x	all		x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	45,15	10
general election	15	Dec. 31

Comments:

Supplemental reports to be filed by Dec. 31
of year following election if contributions
received or expenditures made.

If a candidate has no opposition and
receives no contribution of \$101 or
more, only required to file initial
and final reports.

If an advance, loan, or extension of credit
is made, must disclose particulars.

PUBLIC DISCLOSURE

By:
How long records kept: 5 years
Manner of disclosure:
open to public inspection

COMMISSION

Name: State Campaign and Financial	Composition: 5 members, one appointed by each of
Duties: receive reports	L. Governor, Secretary of State,
investigate	Speaker of the House, and two
publicize reports	members from different parties by
refer violations to AG	the Governor.
other	
complaints procedure	
formulate rules & regs.	

AGENCY

Candidate's agent: Committee
Function: 1. Handle records
2. File reports
3. Receive contributions

Committee's agent: Chairman & Treasurer
Function: same

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions: Repealed

CONTRIBUTION LIMITATIONS

Provisions:

Prohibition against anonymous contributions

PENALTIES

Violations of Act (wilful)

- first offence - misdemeanor; subsequent offences - felony subject to minimum 1 year, maximum 5 years imprisonment and/or a fine up to \$5,000.

Date: 4 /08 /77

REFERENCE

Hawaii Revised Statutes (1968), c.11-
Elections; 1975 Supplement;
HB 2135, Act 106, 14/05/76; HB 2782,
Act 127, 17/05/76.

NAME

HAWAII

ADDRESS

Campaign Spending Commission
Room 436
State Capitol
Honolulu, Hawaii. 96813

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$100	x		
2 expenditure	x	x	x	all	x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	10	20
general election	10	20

Comments:

(2) if there is a surplus, every 6 months
until he becomes a candidate again, the first
report due by the fifth day after the end of
the election year.

Supplemental reports: (1) if there is a
deficit, must be filed every 3 months
until the deficit is eliminated, the
first report to be filed by the fifth
day after the last day of the election year.

PUBLIC DISCLOSURE

By: Campaign Spending Commission

How long records kept: 5 years

Manner of disclosure: public inspection

COMMISSION

Name: Campaign Spending Commission

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other prescribe rules, forms

Composition: Five members appointed by Governor;
two from each of the two parties who polled the
largest vote in the last election, and one
chairman.

AGENCY

Candidate's agent: campaign treasurer(req'd.) Committee's agent: campaign treasurer (reg'd)

Function: 1. handle funds
2. file reports

Function:

FUNDING PROVISIONS

Manner: tax deduction x
tax credit
tax checkoff
reimbursement
other

Detail: \$100 maximum, \$200 for a joint return.

EXPENDITURE LIMITATIONS

Provisions:

1. All expenditures must be authorized
2. Allowable expenditures specified (s.11-205, Supp.)

Advertising:

1. Advertisements must be properly identified as to sponsor.

CONTRIBUTION LIMITATIONS

Provisions:

1. Candidate's expenditure of personal funds for his campaign is not deemed a contribution but must be included in the campaign finance statements.
2. Anonymous contributions are unlawful. Prohibition does not apply to contributions under \$250 given anonymously by groups of 10 or more people at the same event.
3. Cash contributions over \$250 prohibited unless a receipt is issued and a record kept of the transaction.
4. Prohibition against contributions in the name of another.

PENALTIES

1. Violation of contribution provisions - \$1,000 fine, 1 year imprisonment.
2. Wilful failure to file or filing a false report - \$1,000 fine, 1 year imprisonment.

Date: 28 /06 /77

REFERENCE

The Sunshine Law for Political Funds
and Lobbyist Activity Disclosure,
Title 67, c.66, as amended 1977 Supp.

NAME

IDAHO

ADDRESS

Secretary of State
State Capitol
Boise, Idaho 83720

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$50			
2 expenditure	x	x	x	\$25*	x		x

Time of filing:

	<u>before</u>	<u>after</u>
primary	14 to 7	30
general election	14 to 7	30

Comments:

* must provide receipts with report.

Must file report on 10th day of Jan.,
Apr., July, and October until there
are no deficits or unexpended balances.

Advertisers must submit reports of amounts
paid and obligations incurred by the candidate/
committee with the advertiser.

PUBLIC DISCLOSURE

By: Secretary of State
How long records kept: 4 years
Manner of disclosure:
open to public inspection

COMMISSION

Name:
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG _____
other prescribe rules & regs., forms

Composition:

note: Duties performed by Secretary of State.

AGENCY Treasurer

Candidate's agent: Treasurer
Function: 1. Keep accounts
2. File reports
3. Receive contributions
4. Authorize expenditures

Committee's agent: Treasurer
Function: same

FUNDING PROVISIONS

Manner: tax deduction x
 tax credit
 tax checkoff x
 reimbursement
 other

Detail: Each party receives the funds in its earmarked account. Funds from the general account as follows: 90% to all parties in proportion to votes received in last gubernatorial election, no party to receive more than 1/2 this amount. Remaining 10% to be distributed equally to all major, minor and new parties which have qualified to have candidates in the next general election.

EXPENDITURE LIMITATIONS

Provisions:

All expenditures must be made through candidate or authorized agents

CONTRIBUTION LIMITATIONS

Provisions:

Prohibition against:

1. anonymous contributions
2. contributions in the name of another designed to conceal the true source

PENALTIES

Violation of Act by:

- | | |
|----------------|--|
| 1. individuals | - \$250 fine, up to 6 months imprisonment. |
| 2. others | - \$2,500 fine, up to 6 months imprisonment. |

Two year limitation period

Date: 22 / 07 / 77

REFERENCE

Smith-Hurd Illinois Annotated Statutes,
(1965) c. 46, Art.9 - Disclosure of
Campaign Contributions and Expenditures,
added by Public Act 78-1183 (1974).

NAME

ILLINOIS

ADDRESS

State Board of Education
1020 South Spring Street
Springfield, Illinois 62704

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$150	x		
2 expenditure	x	x	x	\$150	x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	15*	90*
general election	15*	90*

Comments:

The treasurer must keep detailed accounts
of all expenditures above \$20.

*campaign contribution reports only.
Annual reports of campaign contributions and
expenditures are due July 31 of each year.

PUBLIC DISCLOSURE

By: Commission
How long records kept: 2 years
Manner of disclosure: public inspection

COMMISSION

Name: State Board of Elections

Composition:

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other prescribe rules.

AGENCY

Candidate's agent: Treasurer Chairman
Function: 1. receive contributions
2. authorize expenditures
3. keep records and accounts
4. file reports

Committee's agent: same
Function: same

note: 3 & 4 by Treasurer only.

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. No expenditures without proper authorization.

Advertising:

1. All advertisements must be properly identified.

CONTRIBUTION LIMITATIONS

Provisions:

1. Prohibition against
 - a. Contributions in the name of another.
 - b. Anonymous contributions.

PENALTIES

- | | |
|---|-----------------------|
| 1. Wilful failure to file or wilful filing of a false report. | - Class B misdemeanor |
|---|-----------------------|

INDIANA

Secretary of State,
State House,
Indianapolis, Indiana 46204

REPORTING REQUIREMENTS

Forms: yes x

Audit: yes

Detail:

					(1)	(2)
name	address	amount	threshold	amount	date	employer/purpose

1 contribution	x	x	x	\$100
2 expenditure	x	x	x	\$100

Time of filing:

Comments:

	<u>before</u>	<u>after</u>
primary	8	47
general election	8	47

Annual reports to be filed each March 31

PUBLIC DISCLOSURE

By: State Election Board
How long records kept: 3 years
Manner of disclosure: 1. public inspection
2. annual report

COMMISSION

Name: State Election Board

Composition:

Duties:	receive reports	<u>x</u>
	investigate	<u>x</u>
	publicize reports	<u>x</u>
	refer violations to AG	<u>x</u>
	other prescribe rules,	<u>forms</u>

AGENCY

Candidate's agent: principal political
Function: committee

Committee's agent: Treasurer

Function:

1. receive contributions
2. authorize expenditures
3. keep records and accounts
4. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. All expenditures must be authorized by the treasurer

Advertising

1. All advertisements must be properly identified as to source.
2. All literature and advertisements soliciting funds must include a notice indicating where the financial reports are filed.

CONTRIBUTION LIMITATIONS

Provisions:

1. All contributions must go through the designated treasurer.
2. All contributions must be made to political committee or a person designated to receive contributions on its behalf.
3. Corporate and union contributions are limited as follows:
 - a. \$3,000/year total to all statewide offices.
 - b. \$3,000/year total to all state central committees
 - c. \$1,000/year total to all non statewide offices.
 - d. \$1,000/year total to all other political committees.
4. Prohibitions against contributions in the name of another.

PENALTIES

- | | |
|---|-----------------------|
| 1. Wilful failure to file or wilful filing of a false report. | - Class D felony |
| 2. Failure to file after receiving notice | - Class A misdemeanor |
| 3. All other violations | - Class B misdemeanor |

Date: 29 / 06 / 77

REFERENCE

Campaign Disclosure - Income Tax Check-off Act, c.56, Code of Iowa, 1977

NAME

IOWA

ADDRESS

Campaign Finance Disclosure Commission
State Capitol Building
Des Moines, Iowa 50319

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate committee *
other

Forms: yes x

Audit: yes

To: CEO Commission *
Secretary of State

*candidate and political committees
candidate may serve as his own committee

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	<u>employer/purpose</u>
1 contribution	x	x	x	\$10	x	
2 expenditure	x	x	x	\$5	x	

Time of filing:

before after
primary
general election

Comments:

Filing required only if contributions or
expenditures more than \$100/year

25th day of January, May, July, October
of each year.

30 days after dissolution of committee

PUBLIC DISCLOSURE

By: Commission

How long records kept: 5 years

Manner of disclosure:

open to public inspection

COMMISSION

Name: Campaign Finance Disclosure Commission Composition: 5 members, not more than 3 from the
Duties: receive reports x same political party, appointed by
investigate x Governor with confirmation by Senate.
publicize reports x
refer violations to AG x
other complaints procedure
authorize forms

AGENCY

Candidate's agent: Treasurer (optional)
Function:

Committee's agent: Treasurer (req'd)
Function: 1. keep accounts and records
2. approve expenditures
3. file reports

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff x _____
reimbursement _____
other _____

Detail: 1. \$1 check off to party
of choice, \$2 for a joint return.

EXPENDITURE LIMITATIONS

Provisions: none

CONTRIBUTION LIMITATIONS

Provisions:

Prohibition against:

1. corporate contributions
2. contributions in the name of another
3. anonymous contributions

PENALTIES

Violations of Act

- max. \$1,000 fine, 30 days imprisonment.

Date: 20 /06 / 77

REFERENCE

Kansas Statutes Annotated (1964)c.25-
Elections, Art 25-17 - Corrupt Practices,
s.25-1701 to 25-1727; 1974 Supp:25-901
to 25-905 superseded by Campaign Finance
Act, 1974, 25-4135, 25-4101(1974) am (1975).
HB 2483, 1975 New Laws p. 789, 5/5/75.
SB 470, 5/4/76; SB 910, 4/5/76.

NAME

KANSAS

ADDRESS

Governmental Ethics Commission
Fifth Floor, Mills Building
Topeka, Kansas 66612

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other party

Forms: yes x

Audit: yes

To: CEO Commission
Secretary of State x

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	all*	x		
2 expenditure	x	x	x	\$25	x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	7	10
general election	7	Dec.3

Comments:

*committees need only report contributions,
including loans, above \$10.

Need not report if contributions and
expenditures less than \$500.
Dec.3 of a year with no elections by
persons who make expenditures above
\$100 in a year other than as contributions.

PUBLIC DISCLOSURE

By: Secretary of State
How long records kept: to be designated by Commission
Manner of disclosure: open to public inspection.

Organization and termination reports by committees
required.
Committees and groups involved in a city, school
district, community junior college, township,
or county offices must file annual reports.

COMMISSION

Name: Governmental Ethics Commission
Duties: receive reports
investigate x
publicize reports
refer violations to AG x
other complaints procedure

Composition: 11 members:
5 appointed by Governor
2 by President of the Senate
2 by Speaker of the House of Representatives
1 by minority leader of the Senate
1 by minority leader of the House

AGENCY

Candidate's agent:	Treasurer or committee	(req'd.)	Committee's agent:
Function:	1. keep detailed accounts		Function:
	2. file reports		

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions: Repealed

Limitation on advertising:

1. rates not to exceed charges made for comparable use of space for other purposes.

CONTRIBUTION LIMITATIONS

Provisions:

By individuals, corporations, unions, associations:

	<u>Gov., Lt. Gov., Statewide</u>	<u>Sen/Rep.</u>
--	----------------------------------	-----------------

Primary	2500	500
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General	2500	500
---------	------	-----

Excluded as contribution or expenditure:

1. volunteer services to \$50/person
2. personal expenses while campaigning
3. goods donated to \$10/event.

Unlimited contributions by candidate and family

Prohibition against:

1. contributions in the name of another
2. anonymous contributions.

PENALTIES

Exceeding contribution limits

Accepting excess contributions
knowingly failing to file or
filing a false report

- Class A misdemeanor

Date: 20 / 06 / 77

<u>REFERENCE</u>	<u>NAME</u>	KENTUCKY
Kentucky Revised Statutes (1971) Title x- Elections, c.121-Corrupt Practices	<u>ADDRESS</u>	Kentucky Registry of Election Finance 310 W. Liberty Street, Louisville, Kentucky 40202

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other executive committee

Forms: yes x
Audit: yes

To: CEO Commission x
Secretary of State

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer</u>	(2) <u>purpose</u>
1 contribution	x	x	x	\$100	x	occupation	
2 expenditure	x	x	x	\$50	x	and occupation	

Time of filing:

	<u>before</u>	<u>after</u>	Comments:
primary 32,12		30	Statement of bank depository to be filed
general election 32,12		30	under certification by campaign treasurer.

By executive committee - 30 days after
primary and general.

PUBLIC DISCLOSURE

By: Commission

How long records kept: 4 years

Manner of disclosure: 1. publishing summary

2. annual report 3. open to public inspection

COMMISSION

Name: Kentucky Registry of Election Finance	Composition: 5 members
Duties: receive reports <u>x</u>	2 Democrats, 2 Republicans, appointed by
investigate <u>x</u>	Governor from a list of 3 for each party
publicize reports <u>x</u>	provided by the State Central Committee.
refer violations to AG <u>x</u>	4 appointed members submit a list of 2
other <u>complaints procedure</u>	from which Governor is to appoint a fifth.

AGENCY

Candidate's agent: Treasurer	Committee's agent:
Function: 1. designate depository	Function: All funds through campaign manager or
2. authorize expenditures	treasurer of a candidate or committee.
3. account for receipts and disbursements	
4. keep bills for 4 years	
5. receive contributions	

FUNDING PROVISIONS

Manner:	tax deduction	<u>x</u>
	tax credit	<u> </u>
	tax checkoff	<u> </u>
	reimbursement	<u> </u>
	other surcharge	<u> </u>

Detail: 1. \$25
2. taxpayers may add \$1 surcharge to go to designated party of their choice.

EXPENDITURE LIMITATIONS

Provisions: none

Advertising limitations:

1. can't charge excess rates.
2. advertisement identified by "paid for by..."

CONTRIBUTION LIMITATIONS

Provisions:

- By: 1. individuals - \$3,000
2. corporations - prohibited

Prohibition against:

1. contributions above \$100 being in cash
2. contributions in the name of another
3. anonymous contributions over \$50

PENALTIES

Exceeding contribution limits by:

1. individuals - \$1,000 fine, 1 year, if lawyer - disbarment
2. corporations - \$10,000, 30 days to 1 year for individuals, for contributions to candidate - \$500 to \$5,000, revocation of charter, for contributions to political organizations

Knowingly failing to file or filing a false report - \$1,000 fine, 1 year.

Date: 4 / 08/77

REFERENCE

West's Louisiana Statutes, Annotated, 1969 main volume; 1976 Cumulative Annual Pocket Part; Act 386, Laws 1976, 31/07/76.

NAME

LOUISIANA

ADDRESS

Election Finance Disclosure Act Office,
17th Floor,
State Capitol,
Baton Rouge, Louisiana 70804

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	*	x		
2 expenditure	x	x	x	**	x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	10	
general election	10	40

Comments:

- * \$1000 statewide offices
- \$500 district offices
- \$250 all others
- ** \$500 statewide offices
- \$250 district offices
- \$125 all others.

If there is a deficit, a supplemental report must be filed when it has been reduced by 50%, and again when it has been eliminated.

PUBLIC DISCLOSURE

By:
How long records kept:
Manner of disclosure:

COMMISSION

Name: See above
Duties: receive reports x
investigate x
publicize reports _____
refer violations to AG x
other _____

Composition: Secretary of Senate, Clerk of the House, legislative auditor, and executive director of the Legislative Council.

AGENCY

Candidate's agent: Treasurer
Function: 1. handle funds
2. file reports

Committee's agent: Chairman, treasurer
Function: 1. handle funds
2. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

- | | |
|--|---|
| 1. All expenditures must be authorized | Advertising: |
| | 1. rates charged may not exceed normal commercial rates |
| | 2. advertisements must be properly identified as to sponsor |

CONTRIBUTION LIMITATIONS

Provisions:

1. Corporations may not make contributions unless authorized to do so by Board of Directors.
2. Prohibition against:
 - i. contributions in the name of another
 - ii. anonymous contributions unless under \$25 from sale of political items or under \$101 from single purchase of tickets to a testimonial dinner, etc.

PENALTIES

Date: 4 / 08/77

REFERENCE

Maine Revised Statutes Annotated, 1964,
Title 21-Elections, c.35-Campaign
Reports and Finances; 1975-1976
Cumulative Pocket Supplement; HB 2281-X,
c.759, Laws 1976, 14/4/76

NAME

MAINE

ADDRESS

Department of State,
State of Maine,
Augusta, Maine 04330

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee _____
other treasurer

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State _____

Detail:		<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$50	x			
2 expenditure	x		x	all	x	x		

Time of filing:

	<u>before</u>	<u>after</u>
primary	7	45
general election	7	45

Comments:

Supplemental reports every 3 months
if there is a surplus or deficit, until it
is eliminated.

Any contribution or expenditure of \$1,000
or more made after the last report before
the election must be reported within 48 hours.

PUBLIC DISCLOSURE

By:
How long records kept:
Manner of disclosure:

COMMISSION

Commission on Governmental Ethics

Name: & Campaign Practices

Duties: receive reports	<u>x</u>
investigate	<u>x</u>
publicize reports	_____
refer violations to AG	<u>x</u>
other	_____

Composition: 7 members - bi-partisan,
3 from Senate, 3 from House. These 6
to appoint a seventh as Chairman.

AGENCY

Candidate's agent: Treasurer

Function: 1. handle funds
2. keep records
3. file reports

Committee's agent: Treasurer (req'd.)
Function: same

FUNDING PROVISIONS

Manner:	tax deduction	<u>x</u>
	tax credit	<u> </u>
	tax checkoff	<u>x</u>
	reimbursement	<u> </u>
	other	<u> </u>

Detail: 1. State allows Federal itemized deductions for purposes of State income tax.
2. \$1 surcharge to be paid to specified party.

EXPENDITURE LIMITATIONS

Provisions:

Advertising:

1. All advertisements must be properly indentified as to sponsor.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals - \$1,000/election
2. By family - \$25,000/election
3. By committees, corporations, and associations - \$5,000/election

PENALTIES

HB 2281 - X, chapter 759, approved 14/4/76 provides for various civil and criminal penalties for violation of the Act.

Date: 20 / 06 / 77

REFERENCE

The Annotated Code of Public General Laws
of Maryland, 1957(1975 Replacement Volume)
Art.33-Election Code, s.26-1 to 26-21.
Fair Election Practices; 1976 Supplement.

NAME

MARYLAND

ADDRESS

State Administrative Board of
Election Laws,
Shaw House,
210 Main Street,
Annapolis, Maryland 21401

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee *
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail: (1) (2)
name address amount threshold amount date employer/purpose

1 contribution Contents of reports are not specified, however their "form"
2 expenditure is to be prescribed by the "Board".

Time of filing:

before after
primary
general election

Comments:
the election.
If a candidate's contributions and expenditure
do not exceed \$100, he may file an affidavit
to that effect and no further reports are
required.
Final reports filed when balances eliminated.
*committee reports required if expenditures
exceed \$50.

1. Tuesday preceding any election; 2-
third Tuesday after any election or
prior to taking office, whichever is
first; 3. if necessary, the 7th
Tuesday following

PUBLIC DISCLOSURE

By: Commission
How long records kept: 4 years
Manner of disclosure: open to public inspection

COMMISSION

Name: Fair Campaign Financing Commission Composition:
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other refer to Governor or Assembly
to have election held void if court finds corrupt practice.

AGENCY

Candidate's agent: campaign treasurer(req'd.) Committee's agent: Chairman & treasurer(req'd.)
Function: 1. Handle funds Function: same
2. File reports

FUNDING PROVISIONS

Manner: tax deduction	<u>x</u>
tax credit	<u> </u>
tax checkoff	<u>x</u>
reimbursement	<u> </u>
other	<u> </u>

Detail: 1. Federally - allowed itemized deductions may also be deducted for State income tax purposes.
2. \$2 surcharge - see addendum.

EXPENDITURE LIMITATIONS

Provisions:

1. Governor/Lt. Governor: 10¢ x no. of people in constituency
2. AG: 2.5¢ x no. of people in constituency
3. State Senate: 10¢ x no. of people in constituency
4. House of Delegates: 5¢ x no. of people in constituency

All amounts are per election or primary. Amounts adjusted annually for cost of living charges.

5. no cash expenditures above \$25
6. all expenditures must be authorized

Advertising:

1. may only charge normal commercial rates for advertisements.
2. advertisements must be properly identified as to sponsor.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals, corporations, unions: \$1,000/candidate to a maximum of \$2,500/election.
2. By candidate and family:
 - a. Statewide office: \$20,000
 - b. Others: varying amounts
3. Prohibition against
 - a. anonymous contributions
 - b. contributions in the name of another
 - c. cash contributions over \$100

4. All contributions must pass through a designated treasurer.

PENALTIES

1. Exceeding expenditure limits
2. Knowingly failing to file or filing a false report

- \$1,000 fine, 1 year imprisonment, ineligible to hold office for 4 years.
- \$1,000 fine, 1 year imprisonment, election may be held void for corrupt practice

ADDENDUM

GOVERNMENT FINANCING

NAME

MARYLAND

A. Source of funds

\$2 surcharge credited to the "Fair Campaign Financing Fund"

B. Eligibility Requirements:

1. candidate must raise "seed money" - greater of \$250 or 15% of the maximum campaign expenditure limit for the office sought in primary election.
2. "seed money" must be private contributions of not more than \$50 per donor
3. private contributions must be "refundable" only if the candidate withdraws
4. the "seed money" must have been collected not later than 45 days before the election.

C. Entitlements

1.
 - a. 25% of the Fund to statewide candidates
 - b. 40% of the Fund to general assembly candidates
 - c. 35% of the Fund to other candidates
2. Payments from the Fund match each contribution not more than \$50 according to the following formula:
 - a. statewide candidates: \$3 government for each \$1 contribution to a maximum of 75% of primary expenditure limit.
 - b. other candidates: \$2 government for each \$1 contribution to a maximum of 2/3 of the primary expenditure limit.

If Fund is unable to pay the full entitlements, the available money will be paid out on a pro-rata basis. Unspent funds to be paid back by candidates.

Date: 30 /06 /77

REFERENCE

Mass. General Laws, c.55, as amended
by c. 151, 373, 491 and 774 of Acts of
1975; c.55A.

NAME

MASSACHUSETTS

ADDRESS

Office of Campaign and Political Finance
Commonwealth of Massachusetts
8 Beacon Street
Boston, Mass. 02108

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:	name	address	amount	threshold amount	date	(1)	(2)
						employer/purpose	
1 contribution	x	x	x	\$15*/\$25 **	x		
2 expenditure	x	x	x	\$15*/\$25 **	x		x

Time of filing:

	<u>before</u>	<u>after</u>
primary	8*	
general election	8*	30@*

Comments:

* \$15 - State Senate, State House
** \$25 - Statewide elective offices - must
designate depository. Initial reports
3 days after designation of depository;
final reports by Jan. 10 following
election; supplemental reports Jan. 10
thereafter if contributions received
after final report.

*Final report by Jan. 10 following
general election. Supplemental reports
each Jan. 10 if contributions received after
filing of final report.

@* special election

PUBLIC DISCLOSURE

By: Commission

How long records kept: candidate: term of office; committees: 2 years.

Manner of disclosure:
public inspection.

COMMISSION

Name: Office of Campaign & Political Finance

Duties: receive reports	<u>x</u>
investigate	<u>x</u>
publicize reports	<u>x</u>
refer violations to AG	<u>x</u>
other	_____

Composition: 4 members; state chairman of each of
the two leading political parties, dean of a law
school, secretary of state, appointed by governor.
Members select a director.

AGENCY

Candidate's agent:
Function:

Committee's agent: Treasurer, Chairman (req'd.)
Function: 1. Keep accounts
2. File reports
3. Authorize expenditures

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:	See addendum
	tax credit	_____		
	tax checkoff	_____		
	reimbursement	_____		
	other	<u>public financing</u>		

EXPENDITURE LIMITATIONS

Provisions:

Media expenses:

Statewide elective candidates required to file report of campaign media expenses in an election year on 10th day of March and June, 8th day preceding a primary, 8th day preceding a biennial state election, 10th day in January.

CONTRIBUTION LIMITATIONS

Provisions:

By:

1. individuals - \$1000/year to candidate
\$1000/year to party
\$1000/year to political committees
not attached to candidate or party

Prohibition against:

1. corporate contributions
2. contributions above \$50 being in cash
3. contributions in the name of another
4. anonymous contributions

PENALTIES

Exceeding contribution limits:

- | | |
|--|--------------------------------------|
| 1. individuals | - \$1000 fine, 1 year imprisonment |
| 2. corporation/director or authorizing officer | - \$50,000 fine |
| | - \$10,000 fine, 1 year imprisonment |
| Failure to file reports, knowingly filing a false report | - \$1,000 fine, 1 year imprisonment |

ADDENDUM

REFERENCE

NAME MASSACHUSETTS

Mass. General Laws, c.55 A. -
Limited Public Financing of Campaigns
for Statewide Elective Offices.

DEFINITIONS

"Qualifying contribution" - any contribution made by an individual and deposited in a candidate's depository account except as follows:
(a) no contribution shall be considered as a qualifying contribution (1) unless the name and address of the contributor is given (2) to the extent in which it exceeds \$250.

PROVISIONS

Candidates for statewide elective office shall be eligible for limited public financing if that candidate (1) has filed a request with the director (2) posted a bond, and (3) reached the threshold level of qualifying contributions.

The candidate is entitled to public financing on a dollar-for-dollar of contribution basis to a specified maximum.

The amounts for each office are as follows:

	<u>Bond</u>	<u>Min.Contribution Level</u>		<u>Maximum Funding</u>	
Governor	\$250,000	\$75,000*	\$125,000**	\$250,000*,	\$250,000**
Lt.Governor	\$ 50,000	\$15,000*,		\$ 50,000*,	
AG	\$125,000	\$37,500*,	\$ 62,500**	\$125,000*,	\$125,000**
Secretary	\$ 50,000	\$15,000*,	\$ 25,000**	\$ 50,000*,	\$ 50,000**

* primary

** general election

Within two weeks of a primary or state election the candidate must file a statement showing the balance remaining on the candidate's depository account less any reserve to cover debts incurred to defray campaign expenditures. Any candidate having a surplus balance shall pay to the state treasurer an amount determined from the following formula:

$$\text{payment} = \text{surplus} \times \frac{\text{Funding received}}{\text{Funding received} + \text{total contributions in that election}}$$

Candidates qualifying for the state election and having opposition are exempted from making payments after the primary.

PENALTIES

Violations - \$1,000 fine, 1 year imprisonment.

Date: 4 /07 /77

REFERENCE

Act No. 338, Public Acts of 1976, s.169.201
et.seq., repealing s. 168.901 to 168.929
of the Compiled Laws of 1970

NAME

MICHIGAN

ADDRESS

Bureau of Elections,
Office of the Secretary of State,
State Capitol,
Lansing, Michigan. 48903

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$20	x	and occupation	*
2 expenditure	x	x	x	\$50			x

Time of filing:

	<u>before</u>	<u>after</u>
primary	10	30
general election	10	30

Comments:

* if contributed over \$200

A committee must also file a statement
by the following June 30 of each year

PUBLIC DISCLOSURE

By: Secretary of State

How long records kept: longer of 5 years or 1 year beyond term of office

Manner of disclosure:

public inspection

COMMISSION

Name:

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other _____

Composition:

Performed by Secretary of State.

AGENCY

Candidate's agent: candidate committee (req'd)

Function:

Committee's agent: Treasurer (req'd.)

- Function:
1. receive contributions
 2. authorize expenditures
 3. keep accounts and records
 4. file reports

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff x
reimbursement _____
other _____

Detail: 1. \$2 tax checkoff to state campaign fund
2. no gubernatorial candidate may receive more than
 a. \$660,000/primary
 b. \$750,00/general election
3. must adhere to expenditure limits.
4. receives \$1 for every \$2 qualifying contribution.

EXPENDITURE LIMITATIONS

Provisions: For candidates seeking public funding:

1. Expenditures may not exceed \$1,000,000 in the aggregate for 1 election.
2. Expenditures less than 20% of the limits for the purpose of soliciting contributions, or expenditures made to purchase media space in order to reply to unfavourable remarks of an editorial, or of an opponent, are exempt.

Advertising: must disclose name and address of sponsor, or contain a disclaimer: "Not authorized..."

CONTRIBUTION LIMITATIONS

Provisions:

1. For candidates seeking public funding:
by
 - a. individuals: \$1,700/election
 - b. independent committees: 10 times individual limit
 - c. state central committee: 25% of candidate's expenditure limit.
 - d. candidate and family: \$25,000/election
2. Prohibitions against
 - a. corporate contributions
 - b. anonymous contributions
 - c. contributions in the name of another
 - d. contributions above \$50 being in cash
3. By individuals to
 - a. state elective office -\$1,700/election
 - b. state senate - \$450/candidate
 - c. state house - \$250/candidate
4. By committees - 10 times individual limits.

PENALTIES

Exceeding contribution limits:

- | | |
|------------------------|--------------------------------------|
| 1. individuals | - \$1,000 fine, 90 days imprisonment |
| 2. corporations | - \$10,000 fine |
| agents, officers, etc. | - \$5,000 fine, 3 years imprisonment |

Exceeding expenditure limits

- \$1,000 fine, 90 days imprisonment

Failure to file

- \$1,000 fine, 90 days imprisonment

Date: 5 / 07 / 77

REFERENCE

Ethics in Government Act, c. 10A

NAME MINNESOTA

ADDRESS Minnesota Ethical Practices Board
410 State Office Building
St. Paul, Minn. 55155

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

by: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

by: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
contribution	x	x	x	\$100	x	x	
expenditure	x	x	x	\$100	x	x	

Time of filing:

Comments:

Primary before 10
General election after 10
Jan. 31 of each year. Contributions of
2,000 or more received after the last
report but prior to an election must be
reported by telegram within 48 hours
and in the next report.

PUBLIC DISCLOSURE

by: State Ethical Practices Board
How long records kept: 5 years
Manner of disclosure: Public inspection

COMMISSION

Name: State Ethical Practices Board
Activities: receive reports x
investigate x
publicize reports x
refer violations to AG _____
other take legal action _____

Composition: 6 members appointed by Governor
with advice and consent of 3/5 of State Congress
sitting separately; one member a former State
legislator from Governor's party; one member
a former State legislator not from the Governor's
party; two members who have not held public
office or office in a political party in the
previous 3 years; the remaining two shall not
support the same party. No more than 3 from same
party.

AGENCY

Candidate's agent: candidate committee
Function: (req'd)

Committee's agent: Treasurer
Function: 1. receive contributions
2. authorize expenditures
3. keep records & accounts
4. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____
	tax credit	_____
	tax checkoff	<u> x </u>
	reimbursement	_____
	other	_____

Detail: \$1 to state elections campaign fund (\$2 for joint return) may be designated to be paid by the taxpayer. The funds may be specifically allocated to the party of the taxpayer's choice.

EXPENDITURE LIMITATIONS

Provisions:

- | | |
|--|--|
| 1. Governor and Lt. Governor running jointly-
greater of 12½¢ per capita or \$600,000 | of his limit or the amount
actually expended, whichever is
less. |
| 2. AG - greater of 2½¢ per capita or \$100,000 | |
| 3. Secretary - greater of 1½¢ per capita or \$50,000 | |
| 4. State senator - 20¢ per capita or \$15,000 | |
| 5. State representative - 20¢ per capita or \$7,500 | |

If, in a primary, the successful candidate receives less than twice as many votes as anyone of his opponents, he may have added to the aggregate an amount equal to 20%

CONTRIBUTION LIMITATIONS

Provisions:

Prohibitions against

1. corporate contributions
2. anonymous contributions above \$20.

Individual contributions limited to
10% of spending limit.

Political party contributions to candidate
committee restricted to 50% of spending limit.

PENALTIES

- | | |
|--|------------------------------------|
| 1. Exceeding limits | - fine equal to 4 times the excess |
| 2. Violation of reporting requirements | - misdemeanor |

Date: 21 /06 /77

REFERENCE

Mississippi Code 1972, Annotated,
Title 23 - Elections, c.3 - Corrupt
Practices, s. 23-3-1 to 23-3-71.

NAME

MISSISSIPPI

ADDRESS

Secretary of State,
P.O. Box 136,
Jackson, Mississippi 39205

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee _____
other _____

Forms: yes x
Audit: yes _____

sworn

To: CEO _____ Commission _____
Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x		x	\$500			
2 expenditure	x			\$250			

Time of filing:

before

after

Comments:

primary
general election

Contributions over \$500 - 5th of every month
during campaign and Saturday before election
day.

Expenses over \$250 - within 60 days of election
(travelling and subsistence expenses don't
have to be reported).

PUBLIC DISCLOSURE

By: Secretary of State

How long records kept: 4 years

Manner of disclosure: open to public inspection

COMMISSION

Name:

Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

Composition:

AGENCY

Candidate's agent: campaign manager
Function:

Committee's agent:
Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions: none

CONTRIBUTION LIMITATIONS

Provisions: none

PENALTIES

Knowingly failing to file or filing a false report	- \$500 fine
---	----------------

Date: 28 / 06 / 77

REFERENCE

Missouri Campaign Finance and Disclosure
Law, c.130.(1974)

NAME

MISSOURI

ADDRESS

Missouri Elections Commission
Office of the Secretary of State
State Capitol
Jefferson City, Missouri 65101

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$25			
2 expenditure	x	x	x	all	x		x

Time of filing:

Comments:

	<u>before</u>	<u>after</u>
primary	40,7	30
general election	40,7	30

Supplemental reports each 90 days after election
if there is a surplus or deficit greater than \$100.

PUBLIC DISCLOSURE

By: Secretary of State
How long records kept: 10 years
Manner of disclosure: open to public inspection

COMMISSION

Name: Missouri Elections Commission

Duties: receive reports
investigate x
publicize reports
refer violations to AG x
other make rules & regs.
commence actions

Composition: Six members, nominated in panels
of three by the Supreme Court of the State,
appointed by the Governor with the consent
of the Senate. No more than three members
from the same party.

AGENCY

Candidate's agent:
Function:

Committee's agent: Treasurer (req'd.)
Function: 1. receive contributions
2. make expenditures
3. keep accounts
4. file reports

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail:

EXPENDITURE LIMITATIONS

Provisions:

Statewide:

Greater of \$9 for each 100 inhabitants
or \$18 for each 100 voters registered in
the last Presidential election.

Limits apply to each of primary and general
elections.

Non Statewide:

Greater of \$12 for each 100 inhabitants
living in the political subdivision or
\$25 for each 100 voters in the political
subdivision.

CONTRIBUTION LIMITATIONS

Provisions:

By:

1. immediate family or political committee - a. \$35,000 statewide
b. lesser of \$25,000 or spending limit.
2. individuals a. \$50,000/year to all candidates and
committees
b. lesser of \$10,000/election or 20%
spending limit to individual
candidate or committee
3. corporations, unions, banks - prohibited

PENALTIES

1. Making an illegal campaign contribution - misdemeanor, \$5,000 fine, 1 year
imprisonment, fine of amount of illegal
contribution.
2. Other violations - misdemeanor, \$5,000 fine, 1 year
imprisonment

Four year limitation period.

Date: 26 / 07 / 77

REFERENCE

Revised Code of Montana, 1947 Annotated
(1967) as amended, 1977, Title 23, c. 47.

NAME

MONTANA

ADDRESS

Commissioner,
Campaign Finances & Practices,
Capitol Station,
Helena, Montana 59601

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission *
Secretary of State _____

* The Commissioner of Campaign Finances
and Practices.

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$25			and occupation
2 expenditure	x	x	x	all	x	x	

Time of filing:

Comments:

	<u>before</u>	<u>after</u>
primary	15 & 5*,10**	20
general election	15 & 5*,10**	20

*Statewide candidates only. Also must file
reports on 10th day of March and September
of election year, within 24 hours of receiving
contribution of \$500 or more after the last
pre-election report, and on 10th of March and

September of each year so long as there
remains a balance or deficit.
**other than statewide offices, also
within 24 hours of receiving a contri-
bution of \$100 or more after the last
pre-election report.

By: Commissioner of Campaign Finances & Practices
How long records kept: 10 years
Manner of disclosure: public inspection
The commissioner shall also provide
for the wide public dissemination
of summaries and reports.

COMMISSION

Name: see above

Composition:

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other prescribe rules

AGENCY

Candidate's agent: Campaign Treasurer (req'd.) Committee's agent: Campaign Treasurer (req'd.)
Function: 1. receive contributions Function: same
2. authorize expenditures
3. keep records and accounts
4. prepare reports

FUNDING PROVISIONS

Manner:	tax deduction	<u>x</u>
	tax credit	<u> </u>
	tax checkoff	<u>x</u>
	reimbursement	<u> </u>
	other	<u> </u>

Detail: 1.. \$50 deduction
2. \$1 checkoff to an election
campaign fund for gubernatorial
candidates

EXPENDITURE LIMITATIONS

Provisions:

1. All expenditures must come from a designated depository.

Advertising:

1. All advertisements must be properly identified.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals to
 - a. Governor & Lt. Gov. jointly
- \$1,500
 - b. other statewide elections - \$750
 - c. candidates for legislature - \$250
in the aggregate for all elections.
2. By independent committees to
 - a. Governor & Lt. Gov. jointly
- \$8,000
 - b. other statewide offices - \$2,000
 - c. candidates for legislature - \$250
in the aggregate for all elections
3. Prohibition against
 - a. corporate contributions
 - b. contributions in the name of another
 - c. anonymous contributions

PENALTIES

- | | |
|--------------------------------|---------------------------------------|
| 1. Illegal contributions | - \$1,000 fine, 6 months imprisonment |
| 2. Other violations of the Act | - misdemeanor |

Date: 5 /07 / 77

REFERENCE

Nebraska Political Accountability and Disclosure Act, Legislative Bill 987, 1976.

NAME

NEBRASKA

ADDRESS

Secretary of State
Lincoln, Nebraska 68509

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1)	(2)
						<u>employer/purpose</u>	
1 contribution	x	x	x	\$100	x		
2 expenditure	x	x	x	\$100		x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	30,15	40
general election	30,15	40

Comments:

Corporations, unions must report any contributions or services (volunteer) within 10 days.

Late contributions of \$500 or more received after the final pre-election report must be reported within 5 days of their receipt. Independent expenditures over \$100 must be reported within 10 days.

PUBLIC DISCLOSURE

By: Commission
How long records kept: 5 years
Manner of disclosure: public inspection

COMMISSION

Nebraska Accountability and Disclosure

Name: Commission

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG _____
other take legal action

Composition: 8 members - Governor, Secretary of State, 3 members appointed by Governor, 3 members appointed by Secretary of State.

AGENCY

Candidate's agent: candidate committee
Function: (req'd.)

Committee's agent: Treasurer
Function: 1. Receive contributions
2. Authorize expenditures
3. Keep records and accounts
4. File reports

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

CONTRIBUTION LIMITATIONS

Provisions:

Prohibition against:

1. contributions above \$50 being in cash
2. anonymous contributions

PENALTIES

Late filing	- \$300 fine, \$10/day fee
Making illegal contributions	- \$1,000 fine, 90 days imprisonment
General violations of the Act	- \$1,000 fine, 90 days imprisonment

Date: 26 / 07 / 77

REFERENCE

Nevada Revised Statutes (1973)
c. 218 & 294 as amended by
A.B. 159, AB 410 (1977)

NAME NEVADA

ADDRESS Secretary of State,
State Capitol,
Carson City, Nevada 89701

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee _____
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$500	x		
2 expenditure	x	x	x	all	x		

Time of filing:

	<u>before</u>	<u>after</u>
primary		15, 30*
general election	15	30

Comments:

* 15 days after primary if winner, 30
days after if loser.

PUBLIC DISCLOSURE

By: Secretary of State
How long records kept:
Manner of disclosure: public inspection

COMMISSION

Name: Secretary of State
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other prescribe rules, forms

Composition:

AGENCY

Candidate's agent:
Function:

Committee's agent:
Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

Advertising:

1. Candidates must authorize political advertisements
2. Publishers and broadcasters must file a statement of their costs, and such information be made available for public inspection.

CONTRIBUTION LIMITATIONS

Provisions:

PENALTIES

1. Violations of reporting provisions - gross misdemeanor

Date: 21 / 06 / 77

REFERENCE

New Hampshire Revised Statutes Annotated,
1955 (1970 Replacement) Title 1V - Elections
c.70 - Political Expenditures, Advertising
and Contributions. s.70: 1 to 70: 19.

NAME

NEW HAMPSHIRE

ADDRESS

Secretary of State,
State House,
Concord, New Hampshire 03301

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes _____ sworn

Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	all			
2 expenditure	x	x	x	all		x	

Time of filing:

before

after

Comments:

primary
general election

Wednesday preceding biennial or special election.

Second Friday after biennial or special election.

PUBLIC DISCLOSURE

By: Secretary of State

How long records kept:

Manner of disclosure: open to public inspection

COMMISSION

Name: none

Duties: receive reports _____

investigate _____

publicize reports _____

refer violations to AG _____

other _____

Composition:

note: a complaints procedure
through the Attorney-General's
office exists.

AGENCY

Candidate's agent: Financial agent(req'd.)

Function: 1. Handle funds

2. File candidate reports

Committee's agent: committee treasurer (req'd.)

Function: 1. Handle funds

2. File reports

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail:

EXPENDITURE LIMITATIONS

Provisions:

Primary statewide:

15¢ for each qualified voter for the
office in the last preceding
biennial election.

General Statewide:
same as above

Political committees:

\$1 x number of voters eligible to vote
in the state in the last biennial election.

Political Advertising:

1. rates charged not to exceed normal charged.
2. advertisements to be marked "political
advertising."
3. must be authorized in writing by candidate
or his fiscal agent
4. must show sponsor.

CONTRIBUTION LIMITATIONS

Provisions:

By individuals - \$5,000
No limit on amounts from candidate and
family.

Prohibition against:

1. corporation and union contributions
2. anonymous contributions
3. contributions in the name of another

PENALTIES

Exceeding expenditure limits
Knowingly failing to file or
filing a false report

- \$100 to \$1000 fine, 30 days to 6 months
imprisonment

violations of s.70
(s.70 - Political Expenditures,
Advertising, and Contributions)

- natural person - misdemeanor
other persons - felony.

Date: 22 / 06 / 77

REFERENCE

New Jersey Statutes Annotated (1964)
Title 19 - Elections. Subtitle 12 -
Campaign Expenditures, c. 39 - 44.
1975-76 Supp: Subtitle 12 repealed;
Subtitle 12A - Campaign Contributions
and Expenditures, c.44A - Campaign
Contributions and Expenditures Reporting
Act.

NAME

NEW JERSEY

ADDRESS

Election Law Enforcement Commission
State House
Trenton, New Jersey 08625

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x sworn
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold</u>	<u>amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	all	*			
2 expenditure				all				

Time of filing:

	<u>before</u>	<u>after</u>
primary		
general election 7,25		15

Comments:

*if under \$100, no name and address
Reports of political information organizations
to be filed by Jan. 31st of each year.
Reports of campaign depositories to be
filed 15 days after both primary and general.
Private expenditures above \$100 to be reported.

Subsequent to election until the fund
is closed - 60 day intervals

PUBLIC DISCLOSURE

By: Commission
How long records kept:
Manner of disclosure:
Annual report to Assembly
open to public inspection.

COMMISSION

Name: Election Law Enforcement Commission

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other _____

Composition: Bipartisan 4 members appointed
by the Governor with advice and consent
of the Senate.

AGENCY

Candidate's agent: campaign treasurer
Function: Handle all funds (req'd.)
Committee's agent: campaign treasurer (req'd.)
Function: Handle all funds.

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other public funding _____

Detail: \$2 of funding for every \$1 contribution
after the first \$40,000 of qualifying
contributions

EXPENDITURE LIMITATIONS (apply to gubernatorial candidates receiving public funding)

Provisions: For each of primary and general:
50¢ for each voter who voted in the
district in the last Presidential election
Governor is limited to \$1.5 million to apply
to primary and general combined.
Limits apply to amounts which may be spent
in aid of candidacy, whether authorized by
candidate or not. Travelling expenses
are exempt.

Advertising:
public fund-gubernatorial candidates -
1 hour joint appearance, 1 hour individual
appearance.
Summary statements are sent out about
all gubernatorial candidates.

CONTRIBUTION LIMITATIONS

Provisions:

By 1. individuals, political committees
- \$600/election
(applies to gubernatorial candidates only)

2. county committees and municipal committees
of a political party to gubernatorial
candidates - \$10,000 election.

Prohibition against:

1. anonymous contributions
2. contributions in the name of another.

PENALTIES

- | | |
|--|---|
| 1. Violation of filing or reporting provisions | - misdemeanor |
| 2. Violation of limitation provisions | - \$1,000 fine for 1st offence \$2,000
fine for every subsequent offence |

Date: 22 / 06 / 77

REFERENCE

New Mexico Statutes, 1953 Annotated (1969)
C.3-Elections, Art. 19-Campaign Practices,
s.3-19-1 to 3-19-23, 1973 Supp:Amendments
(1953, 1969).

NAME

NEW MEXICO

ADDRESS

Secretary of State
State Capitol
Sante Fe, New Mexico 87501

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x sworn.
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
--	-------------	----------------	---------------	-------------------------	-------------	--------------------------------	-----

1 contribution				all			
2 expenditure				all			

Time of filing:

	<u>before</u>	<u>after</u>
primary		30**10
general election		30**10*

Comments:

Act specifies an itemized listing of
expenditures.

* candidate expenditures and
** receipts and disbursements

PUBLIC DISCLOSURE

By: Secretary of State
How long records kept:
Manner of disclosure: open to public inspection

COMMISSION

Name:

Composition:

Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

AGENCY

Candidate's agent:
Function:

Committee's agent: treasurer (req'd.)
Function: 1. Handle funds
2. Keep accounts of receipts
and disbursements.

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail:

EXPENDITURE LIMITATIONS

Provisions: none

Advertisements to include name of
sponsor or authorizer

CONTRIBUTION LIMITATIONS

Provisions: none

PENALTIES

Knowingly failing to file or
filing false report

- petty misdemeanor up to \$100 fine,
6 month imprisonment

Failure to identify advertisement

- 4th degree felony for persons, organizations
who publish such material, misdemeanor for
circulating it.

Date: 3 /08 /77

REFERENCE

Consolidated Laws of New York(1964),
c.17-Election Law; Article 16A-
New York State Campaigns, Elections and
Procedures Law. Note: a recodification
of the Laws will be effective December 1st.,
1977, repealing the present c.17 and re-
enacting a new c.17.

NAME

NEW YORK

ADDRESS

State Board of Elections
Agency Building No. 2
Empire State Plaza
Albany, New York 12223

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$100	x		
2 expenditure	x	x	x	\$50	x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	25,10	20
general election	25,10	20

Comments:
24 hours.

Also 15th of January, May and September
until candidate or committee terminates
activity. Contributions of more than
\$1,000 received after the last report
before an election but before the election
to be reported within
PUBLIC DISCLOSURE

By: State Board of Elections
How long records kept: 5 years
Manner of disclosure: public inspection

COMMISSION

Name: State Board of Elections

Duties: receive reports x
investigate x
publicize reports _____
refer violations to AG x
other _____

Composition: 4 commissioners appointed by the
Governor; one from each of the major political
parties on the recommendation of the chairman
of the State committee, one upon the joint
recommendation of the legislative leaders of
of one major party, and one upon that of the
other major political party.

AGENCY

Candidate's agent:
Function:

Committee's agent: Treasurer (req'd.)
Function: 1. keep accounts
2. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. Expenditures above \$100 must be made by cheque.

Advertising

1. Records of political literature, advertisements and broadcasts are to be filed with required financial statements.

CONTRIBUTION LIMITATIONS

Provisions:

1. Statewide offices - no. of voters time \$0.005
2. Other offices - no. of voters in district times \$0.05.
 - a. State senator - greater of above amount or \$4,000
 - b. Assemblyman- greater of above amount or \$2,500.

In no event may a maximum exceed \$50,000 or be less than \$1,000.
3. Contributions by candidate's family - adjust multiplier to \$0.025 for statewide offices, and to \$0.25 for other offices.
 - a. State senator - greater of above amount or \$20,000
 - b. assemblyman-greater of above amount or \$12,500.

In no event may a maximum exceed \$100,000.

note: figures above indicate maximum permissible aggregate amounts from a single contributor.

4. Prohibition against
 - a. anonymous contributions
 - b. cash contributions above \$100
 - c. contributions in the name of another
5. corporate contributions limited to \$5,000

PENALTIES

- | | |
|---|-------------------|
| 1. Wilful failure to file | - misdemeanor |
| 2. Making or receiving illegal contributions | - misdemeanor |
| 3. Wilful performance of acts for the purpose of evading contribution limitations | - class E felony. |

Date: 6 / 07 / 77

REFERENCE

General Statutes of North Carolina,
c. 163, Article 22A

NAME

NORTH CAROLINA

ADDRESS

Campaign Reporting Office
State Board of Elections
P.O. Box 1934
Raleigh, N.C. 27602

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	all	x		
2 expenditure	x	x	x	all	x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	10	10
general election	10	10

Comments:

Statements from media to be filed by same
deadlines as candidate/committee statements

Supplemental reports when necessary to
be filed each Jan. 7.
Final reports for candidates eliminated
in primary to be filed 45 days after primary.

PUBLIC DISCLOSURE

By: State Board of Elections
How long records kept: 5 years
Manner of disclosure: public inspection

COMMISSION

Name: State Board of Elections

Composition:

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other _____

AGENCY

Candidate's agent: Treasurer (req'd.)
Function: 1. Accept contributions
2. Authorize expenditures
3. Keep accounts and records
4. File reports

Committee's agent: Treasurer (req'd.)
Function: same

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

Media Expenses for Governor, Lt. Governor,
and Council of State - 10¢ times voting
age population.

Advertisements must bear name of sponsor
Normal commercial charges for political
advertising.

CONTRIBUTION LIMITATIONS

Provisions:

By individuals, political committees - \$3,000/election

Prohibition against:

1. corporate or trade union contributions
2. contributions in the name of another
3. contributions above \$100 being in cash
4. anonymous contributions.

PENALTIES

- | | |
|--|---|
| 1. Exceeding contribution limits | - \$1,000 fine, 1 year imprisonment. |
| 2. Making illegal contributions | - \$100 - \$5,000 fine, 1 year imprisonment. |
| 3. Violations of reporting provisions,
provisions re accepting contributions,
etc. | - misdemeanor, \$1,000 fine (individuals),
\$5,000 fine (others), 1 year imprisonment. |
| 4. Exceeding media limits | - misdemeanor, \$5,000 fine, 1 year
imprisonment. |

Date: 23 /06 /77

REFERENCE

North Dakota Century Code(1971)Title 16-
Elections, c.16-20-Corrupt Practices.
s. 16-20-01 to 16-20-24, 1973 Supp:
Amendment: political advertisements

NAME

NORTH DAKOTA

ADDRESS

Secretary of State,
State Capitol,
Bismarck, North Dakota 58501

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS none

By: candidate ____ committee ____
other _____

Forms: yes ____
Audit: yes ____

To: CEO ____ Commission ____
Secretary of State ____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	<u>employer/purpose</u>
1 contribution						
2 expenditure						

Time of filing: before after
primary
general election

Comments:

PUBLIC DISCLOSURE none

y:
ow long records kept:
anner of disclosure:

COMMISSION none

ame:
uties: receive reports ____
investigate ____
publicize reports ____
refer violations to AG ____
other _____

Composition:

AGENCY none

andidate's agent:
unction:

Committee's agent:
Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

15% of Annual Salary or \$500,
whichever is greater, for each of
primary and general election.

Political advertisements to disclose
name and address of sponsor.

CONTRIBUTION LIMITATIONS

Provisions:

Prohibition against:

1. corporate contributions
2. contributions in the name of another.

PENALTIES

Exceeding expenditure limits

- deprivation of nomination for office.

Date: 8 / 07/77

REFERENCE

Ohio Revised Code, Annotated, Title xxxv-
Elections, c.3517-Campaign Expense
Reporting Law.

NAME

OHIO

ADDRESS

Secretary of State
Columbus, Ohio. 43216

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State *

*Statewide candidates file with Secretary of
State. Senator and representative candidates
file with county Board of Elections of the
county with largest pop. in their district.
(1) (2)

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	<u>employer/purpose</u>
1 contribution	x	x	x	\$25**		
2 expenditure	x	x	x	\$25**	x	x

Time of filing:

	<u>before</u>	<u>after</u>
primary	12	45
general election	12	45

Comments:

**applies only to social or fund raising activity.
All other cases, each expenditure or contribution
must be listed.

Supplementary statements last business
day in November.

PUBLIC DISCLOSURE

By: Secretary of State/Board of Elections

How long records kept: 6 years

Manner of disclosure: public inspection

COMMISSION

Name: Ohio Elections Commission

Duties: receive reports _____
investigate x
publicize reports _____
refer violations to AG x
other _____

Composition: 5 members, 4 appointed by Governor
with advice and consent of the Senate. 4 members
appoint a fifth.

AGENCY

Candidate's agent: Campaign Committee
Function:

Committee's agent: Campaign treasurer
Function: 1. receive contributions
2. authorize expenditures
3. maintain accounts and records
4. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

Advertising limits:

Rates charged not to exceed amount charged to general rate advertisers; for radio and T.V., the lowest unit charge.

CONTRIBUTION LIMITATIONS

Provisions:

Prohibition against:

1. cash contributions above \$100.
2. contributions in the name of another.
3. corporate contributions

Each anonymous contribution must be specified and a reason given why it cannot be attributed to a specific donor.

PENALTIES

- | | |
|---|--|
| 1. Failure to file. | - \$25-\$1,000/day fine, depending on statement. |
| 2. Concealing or misrepresenting contributions given or received or expenditures made | - fine of 3 times the amount. |
| 3. Knowingly filing a false report | - \$10,000 fine, for failure of office. |
| 4. Making a corporate contribution | - \$500 to \$5,000 fine. |

Date: 9 / 08 / 77

REFERENCE

Oklahoma Statutes Annotated, 1976,
Title 26; 1976 Session Laws, c.90.

NAME

OKLAHOMA

ADDRESS

Secretary of the State Election Board,
State Capitol,
Oklahoma City, Oklahoma 73105

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other party

Forms: yes x
Audit: yes

To: CEO Commission x
Secretary of State

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
--	-------------	----------------	---------------	-------------------------	-------------	--------------------------------	-----

1 contribution	x	x	x	\$200			
2 expenditure							

Time of filing:

	<u>before</u>	<u>after</u>
primary	10	
general election	10	40

Comments:

Expenditures to be broken down by category.

Supplemental report, if required, to be
filed 6 months and 10 days after election.

PUBLIC DISCLOSURE

By:
How long records kept:
Manner of disclosure:

COMMISSION

Name:
Duties: receive reports
investigate
publicize reports
refer violations to AG
other

Composition:

AGENCY

Candidate's agent:
Function:

Committee's agent:
Function:

FUNDING PROVISIONS

Manner:	tax deduction	<u>x</u>	Detail: \$100 deduction
	tax credit	<u> </u>	
	tax checkoff	<u> </u>	
	reimbursement	<u> </u>	
	other	<u> </u>	

EXPENDITURE LIMITATIONS

Provisions:

1. All expenditures must be authorized by the candidate

Advertising:

1. Anonymous campaign literature prohibited.
2. Broadcasters must preserve political utterances for 2 years.

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals:
 - a. \$5,000/political party
\$5,000/candidate for state office
\$1,000/candidate for local office
2. Prohibition against
 - a. corporate contributions
 - b. contributions under a fictitious name.
3. All contributions must be authorized by the candidate.

PENALTIES

Violation of the Act

- misdemeanor, \$1,000 fine, 6 months imprisonment.

3 year limitation period.

Date: 11 / 07 / 77

REFERENCE

Oregon Revised Statutes, c. 260, 1975
Replacement Part - Campaign Finance
Regulation, Election Offences.

NAME

OREGON

ADDRESS

Secretary of State
State Capitol
Salem, Oregon 97310

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:

	name	address	amount	threshold amount	date	(1) employer	(2) purpose
contribution	x	x	x	\$100*\$50**			or occupation
expenditure	x	x	x	all@			x

Time of filing:

	before	after
primary	21,7	30
general election	21,7	30

Supplemental reports where there is a
balance or deficit to be filed by 10th
day following close of every other calendar
quarter.

Comments:

*statewide candidates
**other than statewide
@expenditures above \$50 must be vouched
for by receipt or cancelled cheque.

PUBLIC DISCLOSURE

By: Secretary of State
How long records kept: 6 years
Manner of disclosure:
published summaries available to public

COMMISSION

Time:

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other prescribe forms

Composition:

Duties performed by Secretary of State.

AGENCY

Candidate's agent: Principal Campaign
Function: Committee

Committee's agent: Treasurer
Function: 1. receive contributions
2. authorize expenditures
3. keep accounts and records
4. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____
	tax credit	_____ <u>x</u>
	tax checkoff	_____
	reimbursement	_____
	other	_____

Detail: half of political contributions
up to \$25

EXPENDITURE LIMITATIONS

Provisions:

Advertising limits:

All political advertising must
be properly identified.
False statements prohibited

CONTRIBUTION LIMITATIONS

Provisions:

Prohibition against:

1. corporate contributions
2. contributions in the name of another
3. contributions over \$50 from out of state
committees unless accompanied by written
statement setting forth particulars of each
contributor of more than \$100 (for statewide)
candidates, or \$50 (other offices).

PENALTIES

Violations of any provision

- Class A misdemeanor

Date: 23 / 06 / 77

REFERENCE

Purdon's Penna. Statutes Annotated (1963)
Title 25 - Elections and Election Districts,
c.14 - Election Code, Art. XVI Primary and
Election Expenses, s. 3221 to 3233,
1975 - 76 Supp: Amendments.
HB 153, Act 124, 7/1/76

NAME PENNSYLVANIA

ADDRESS Secretary of the Commonwealth,
Capitol Building,
Harrisburg, Pennsylvania 17120

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x sworn
Audit: yes x (optional)

To: CEO _____ Commission _____
Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x		x	\$50		x	
2 expenditure	x		x	\$50	x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary		30
general election		30

Comments:

Business entities awarded non-bid contracts
by the State must disclose all contributions
made by its officers, and contributions in
excess of \$1,000 made by its employees

PUBLIC DISCLOSURE

By: Secretary of the Commonwealth
How long records kept: 2 years
Manner of disclosure:
open to public inspection

COMMISSION

Name:

Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

Composition:

AGENCY

Candidate's agent: Treasurer
Function: 1. receive contributions
2. authorize expenditures

Committee's agent: Treasurer
Function: same

FUNDING PROVISIONS

Manner: tax deduction _____
tax credit _____
tax checkoff _____
reimbursement _____
other _____

Detail:

EXPENDITURE LIMITATIONS

Provisions: Allowable expenditures specified.

Advertisements:

For ads within 48 hours prior to election, candidate must notify opponents of advertisements.

Must give notice to opposing candidates and county Board of Elections before placing the ad to give time for a reply.

CONTRIBUTION LIMITATIONS

Provisions:

Prohibitions against corporate and union contributions

PENALTIES

- | | |
|---|--|
| 1. Illegal contributions (wilful) | - 4 years disenfranchisement |
| 2. Illegal expenditures (wilful) | - \$1,000 fine; 1 month to 2 years imprisonment; prohibited permanently from holding public office in the state. |
| 3. Knowingly failing to file or filing a false report | - \$1,000 fine; 1 month to 2 years imprisonment |
| 4. Corporate contributions | - \$500 to \$5,000 fine. |

Date: 23 /06 /77

REFERENCE

NAME

RHODE ISLAND

ADDRESS

Board of Elections,
State House,
Providence, Rhode Island 02903

General Laws of Rhode Island, 1956, Re-enactment of 1969, Title 17 - Elections
1974 Supp: c.25 Rhode Island Campaign Contributions and Expenditures Reporting Act,
s. 17-25-1 to 17-25-14 (1974)
HB 7834, c.93, 5/14/76

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$200			
2 expenditure			*				

Time of filing:

before after

Comments:

* aggregate expenditures to be reported

primary
general election 30 30
Annual financial disclosure statements
to be filed on or before last Friday
in April.

PUBLIC DISCLOSURE

By: Commission
How long records kept:
Manner of disclosure: 1. Annual report to Assembly.
2. open to public inspection through Secretary
of State.

COMMISSION

Name: Board of Elections
Duties: receive reports
investigate x
publicize reports x
refer violations to AG x
other make forms, manuals

Composition:

AGENCY

Candidate's agent: campaign treasurer (req'd.) Committee's agent: same
Function: 1. File reports Function: same
2. Handle funds

FUNDING PROVISIONS

Manner:	tax deduction	_____
	tax credit	_____
	tax checkoff	<u> x </u>
	reimbursement	_____
	other	_____

Detail: \$1 checkoff to party or
general account.

EXPENDITURE LIMITATIONS

Provisions:

Governor - \$400,000
Lt. Gov. - \$100,000
AG - \$100,000
Treasurer- \$ 50,000
Sec.of State -\$50,000

than 25% of the amounts may go towards the
primary. Annual increases in the limits not to
exceed the increase in the consumer price index.

Limits apply to what may be expended
in aid of the candidacy. No more

CONTRIBUTION LIMITATIONS

Provisions:

Candidates and family contributions
limited to 10% of spending limit:

Prohibition against:

1. contributions in the name of another.
2. anonymous contributions.

PENALTIES

Violations of Act

- petty misdemeanor; max. \$500 fine.

Date: 24 /06 /77

REFERENCE

NAME

SOUTH CAROLINA

ADDRESS

State Election Commission
2301 Devine Street
P.O. Box 5987
Columbia, South Carolina 29205

South Carolina Code, 1962, Annotated,
Title 23 - Elections; 1975 Cumulative
Supplement; Ethics Law of South
Carolina, 1974; SB 89, 5/29/75,
SB 845, Laws 1976.

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee ____
other _____

Forms: yes ____
Audit: yes ____

To: CEO ____ Commission x
Secretary of State ____

Detail:	name	address	amount	threshold amount	date	(1)	(2)
						employer/purpose	
1 contribution	x		x	\$100			
2 expenditure			x				x

Time of filing:

	<u>before</u>	<u>after</u>
primary		30
general election		30

Comments:

A current list of contributors of more than
\$100 must be maintained in the final two
weeks prior to an election (primary or general).
Expenditures need only be reported in the

final report. If contributions are received
after the filing of the final report, they
must be reported within 30 days of receipt
of such funds. Must also file a statement
of economic interest.

PUBLIC DISCLOSURE

By: Commission
How long records kept:
Manner of disclosure: 1. open to public inspection
2. annual report to Assembly

COMMISSION

Name: State Ethics Commission
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other complaints procedure

Composition: six members appointed by Governor
(one from each congressional district), upon
advice and consent of General Assembly.
4 year terms.
note: there are also Senate and House of
Representatives Ethics Committees

AGENCY

Candidate's agent:
Function:

Committee's agent:
Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

CONTRIBUTION LIMITATIONS

Provisions:

PENALTIES

Knowingly failing to file or
filing a false report

- Misdemeanor, fine not exceeding \$1000; 1 to 6
months hard labour; election null.

Date: 11 /07 /77

REFERENCE

South Dakota Compiled Laws, 1975, Title
12-Elections, c.12-25-Campaign
Financing and Candidates Financial Statements.
SB 217, Laws 1976, approved 26/2/76.
c. 12-25A - State Ethics Commission

NAME

SOUTH DAKOTA

ADDRESS

Secretary of State,
Department of State,
Pierre, South Dakota 57501

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes x
sworn: yes x

To: CEO _____ Commission _____
Secretary of State x

Detail:	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$100		x	
2 expenditure	x		x	all			

Time of filing:

primary before 7
general election after 7

Comments:

Supplemental reports to be filed within
30 days of close of calendar year.
Individual contributions over \$500 received
within 9 days before an election must be
reported within 48 hours of receipt.

PUBLIC DISCLOSURE

By:
How long records kept:
Manner of disclosure:

COMMISSION

Name: State Ethics Commission

Duties: receive reports _____
investigate x
publicize reports _____
refer violations to AG x
other prescribe forms, rules

Composition: 9 members, 3 appointed by
Governor, 1 each by Democratic Senate and
House leaders, Republican Senate and House
leaders, chairman of Democratic and Republican
state central committee

AGENCY

Candidate's agent:
Function:

Committee's agent: Treasurer (req'd.)
Function: 1. receive contributions
2. authorize expenditures
3. keep records and accounts.
4. file reports

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

Advertising:

All advertisements must be properly identified

CONTRIBUTION LIMITATIONS

Provisions:

By individual to:

- | | |
|----------------------------|----------------|
| 1. Statewide candidate | - \$1,000/year |
| 2. non-statewide candidate | - \$250/year |
| 3. political party | - \$3,000/year |

Does not apply to candidate and his family.

PENALTIES

- | | |
|--|---|
| 1. violation of filing requirements | - misdemeanor, \$1,000 fine |
| 2. wilful violation of filing requirements | - misdemeanor, \$2,500 fine, 30 days imprisonment |

Date: 11 / 07/ 77

REFERENCE

NAME TENNESSEE

Campaign Financial Disclosure Act of 1975,
Tennessee Code Annotated, 2-1001 through
2-1017 as amended by Public Chapter
749 (1976)

ADDRESS Tennessee State Library and Archives
403 7th Ave. North,
Nashville, Tennessee 37219

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission *
Secretary of State _____

* State Librarian

Detail: (1) (2)
name address amount threshold amount date employer/purpose

1 contribution	x	x	x	\$100	
2 expenditure	x	x	x	\$100	x

Time of filing:

	<u>before</u>	<u>after</u>
primary	8	30
general election	8	30

Comments:

Supplemental reports showing balance or deficit
required 30 days after above deadline, and 60 days
thereafter if there is a change in the figures.

Must report by telegram any contributions
in excess of \$1,000 received 12 days
preceding or 10 days following any election.

PUBLIC DISCLOSURE

By: State Librarian and Archivist
How long records kept: 5 years
Manner of disclosure: public inspection

COMMISSION

Name: State Library and Archives

Composition:

Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other prescribe forms, rules

AGENCY

Candidate's agent: political treasurer (req'd.)	Committee's agent: political treasurer (req'd.)
Function: 1. receive contributions	Function: same
2. authorize expenditures	
3. keep accounts and records	
4. file reports	

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

Advertising:

1. advertisements must be properly identified
2. rates charged not to exceed rates charged other subscribers for similar services.
3. media reports to be filed by each newspaper, broadcasting stations, etc., listing obligations incurred by each candidate and committee.

CONTRIBUTION LIMITATIONS

Provisions:

1. out of state contributions in excess of \$100 must be accompanied by a written statement setting forth name and address of each person contributing more than \$100
2. corporate contributions prohibited.

PENALTIES

- | | |
|----------------------------------|---|
| 1. Wilful failure to file. | - disqualified as candidate for public office for 6 years |
| 2. General violations of the Act | - misdemeanor, if individual; \$5,000 fine if other than an individual. |

Date: 10 / 08/77

REFERENCE

Texas Revised Civil Statutes, 1967,
Election Code; 1976-77 Supplement

NAME

TEXAS

ADDRESS

State Election Commission
State Capitol
Austin, Texas 78711

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee _____
other contributors over \$100 _____
Forms: yes _____
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:

	name	address	amount	threshold amount	date	(1) employer/purpose	(2)
contribution	x	x	x	\$50	x		
expenditure	x	x	x	\$50		x	

Time of filing:

	before	after
primary	30,7	30
general election	30,7	30

Comments:

Annual reports January 15 if contributions
or expenditures received or made in the
preceding year.

PUBLIC DISCLOSURE

By:
How long records kept:
Manner of disclosure:

COMMISSION

Name: Secretary of State
Duties: receive reports x
investigate x
publicize reports x
refer violations to AG x
other _____

Composition:

AGENCY

Candidate's agent: treasurer (req'd.)
Function:

Committee's agent: treasurer (req'd.)
Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. Statewide candidates: 10¢ x voting age population, in general primary election & general election (separately); 4¢ x voting age population, in runoff primary.

Advertising:

1. Advertising rates may not exceed lowest applicable commercial rates.
2. Advertisements must be properly identified as to sponsor.

CONTRIBUTION LIMITATIONS

Provisions:

1. Prohibition against
 - a. corporate and union contributions
 - b. contributions above \$500 from out-of-state committees unless individual contributors of \$100 or more are identified.

PENALTIES

- | | |
|--|---|
| 1. Violations of the Act | - forfeiture of right to have name on ballot |
| 2. Failing to file, filing false report (knowing and wilful) | - \$100 to \$5,000 fine; 1 to 5 years imprisonment, plus civilly liable to State for 3 times unreported amount, plus liable for double the amount and lawyer's fees to each opposing candidate. |

Date: 27/ 06/ 77

REFERENCE

Utah Code Annotated, 1953 (1976) Title 20
 -- Elections, c.14 - Corrupt Practices in
 Elections, s.20-14-1 to 20-14-47.
 HB 93, 3/7/75; HB 135, 1975 New Laws
 Page 213, 3/13/75

NAME

UTAH

ADDRESS

Secretary of State
 State Capitol
 Salt Lake City, Utah. 84114

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
 other _____

Forms: yes x
 Audit: yes _____

To: CEO _____ Commission _____
 Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	all	x	purpose	
2 expenditure	x		x	all	x	x	

Time of filing:

primary before 5 after
 general election 5

Comments:

Also 10th of June, July, August, September,
 October and December of an election year.

PUBLIC DISCLOSURE

By: Secretary of State
 How long records kept: 5 years
 Manner of disclosure:
 Open to public inspection

COMMISSION

Name: _____
 Duties: receive reports _____
 investigate _____
 publicize reports _____
 refer violations to AG _____
 other _____

Composition:

AGENCY

Candidate's agent: Personal campaign
 Function: committee

Committee's agent:
 Function:

One member of committee to be appointed
 secretary. If no committee, then
 candidate fulfills function of secretary.
 Acts of committee presumed to be with
 knowledge and approval of candidate.

FUNDING PROVISIONS

Manner:	tax deduction	<u> x </u>
	tax credit	<u> </u>
	tax checkoff	<u> x </u>
	reimbursement	<u> </u>
	other	<u> </u>

Detail: 1. \$25 tax deduction
2. \$1 checkoff to party. The State Tax Commission will take \$1 transferred from the general fund to the election campaign fund, with money to come from revenue generated by the sales and use tax.

EXPENDITURE LIMITATIONS

Provisions:

1. Media limit: Governor - \$100,000
Other statewide- \$ 50,000
2. No disbursements except through candidate or committee

CONTRIBUTION LIMITATIONS

Provisions:

PENALTIES

1. Knowingly failing to file a report - disqualified until statement is filed
2. Violation of expenditure laws - \$1,000 fine, 1 year imprisonment
3. Other violations of Act - misdemeanor, disqualified from office

Date: 1/08/77

REFERENCE

Vermont Statutes Annotated (1968)
Title 17, 1976-1977 Cumulative
Supplement (s.2051 to 2056), Acts
188 and R-77, Laws 1976.

NAME

VERMONT

ADDRESS

Secretary of State,
State House
Montpelier, Vermont. 05602

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:	name	address	amount	threshold	amount	date	(1)	(2)
							employer	purpose
1 contribution	x	x	x	\$25				
2 expenditure	x		x	all		x	x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	40, 10	10
general election	40, 10	10

Comments:

Must publicly designate a single bank as
depository.

Must file annually on or before January
a copy of the bank statements for the
previous 12 months.

PUBLIC DISCLOSURE

By: Secretary of State

How long records kept:

Manner of disclosure: public inspection

COMMISSION

Name: Board of Elections

Duties: receive reports _____
investigate x
publicize reports _____
refer violations to AG x
other _____

Composition:

AGENCY

Candidate's agent: Treasurer

Function: Responsible for maintaining
the chequing account.

Committee's agent: Treasurer

Function: same

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. All expenditures must be made by cheque.

CONTRIBUTION LIMITATIONS

Provisions:

1. Maximum contribution of \$1,000 from a single source.
2. All contributions of \$25 or more must be made by cheque.

PENALTIES

- | | |
|----------------------|--|
| 1. Failure to file | - no certificate of nomination or election until report is filed |
| 2. Violations of Act | - \$1,000 fine, 6 months imprisonment |

Date: 12 / 07 / 77

REFERENCE

NAME

VIRGINIA

Fair Election Practices Act, Code of Virginia, sections 24.1-251 to 24.1-262, 24.1-277 and 24.1-279 as amended Cum. Supp. 1976.

ADDRESS

State Board of Elections,
Commonwealth of Virginia,
State Capitol,
Richmond, Virginia. 23219

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$100		*	
2 expenditure	x	x	x	\$100		x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	30**, 7	30
general election	30**, 7	30

Comments: *contributors of over \$500 -
occupation and place of business.

**Governor, Lt.Governor, AG only.
Contributions of more than \$1,000
(Statewide Offices) or \$500 (other
offices) received between the 10th
day preceding any election must be
reported within 72 hours.

Where there remains a balance or deficit,
supplemental reports to be filed 60 days,
6 months and 1 year, and annually thereafter,
as required.

PUBLIC DISCLOSURE

By:

How long records kept:

Manner of disclosure:

COMMISSION

Name: State Board of Elections

Composition:

Duties: receive reports x
investigate _____
publicize reports _____
refer violations to AG _____
other prescribes forms _____

AGENCY

Candidate's agent: campaign treasurer (req'd) Committee's agent: campaign treasurer (req'd.)

Function:

Function: same

1. receive contributions
2. authorize expenditures
3. keep records and accounts
4. file reports

FUNDING PROVISIONS

Manner: tax deduction x
 tax credit
 tax checkoff
 reimbursement
 other

Detail: s. 58-151.013(d)(1) permits
 indirect tax deduction.

EXPENDITURE LIMITATIONS

Provisions:

1. All expenditures must be made by
cheque drawn upon the
certified campaign depository,
except for those under \$25 from
a petty cash fund.

Advertising:

1. Advertisements must be properly
identified.

CONTRIBUTION LIMITATIONS

Provisions:

PENALTIES

1. Violations of the Act - class 4 misdemeanor

Date: 12 / 07 / 77

REFERENCE

Washington State Open Government
Act (Initiative 276), Revised Code
of Washington, c.42.17 as amended
November 1976 (c.112-xx, Laws 1976)

NAME

WASHINGTON

ADDRESS

Public Disclosure Commission
403 Evergreen Plaza,
Olympia, Washington 98504

DISCLOSURE PROVISIONSREPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	\$10	x		
2 expenditure	x	x	x	\$25		x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	19.5	10
general election	19.5	20

Comments:

Additional reports - 10th day of each month
in which no other report is filed.
If outstanding debts remain, supplemental
reports to be filed every 6 months until
obligations have been satisfied.

PUBLIC DISCLOSURE

By: Public Disclosure Commission
How long records kept: 10 years
Manner of disclosure: public inspection

COMMISSION

Name: Public Disclosure Commission
Duties: receive reports x
investigate x
publicize reports _____
refer violations to AG x
other prescribe forms, rules

Composition: 5 members appointed by
Governor with advice and consent of the
Senate. No more than three members from
the same political party.

AGENCY

Candidate's agent: treasurer(req'd.)
Function: 1. receive contributions
2. authorize expenditures
3. keep records and accounts
4. file reports

Committee's agent:
Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions: Held unconstitutional - Bare v. Gorton, 526 P(2d) 379.

Advertising:

- | | |
|--|---|
| 1. advertisements must be identified as to at least one of the sponsors. | 3. Commercial advertisers accepting political advertising during an election campaign must maintain their books open for public inspection for 3 years. |
| 2. rates charged may not exceed national advertising rate extended to general advertisers. | |

CONTRIBUTION LIMITATIONS

Provisions:

1. all contributions must be deposited in a designated campaign depository.
2. prohibitions against:
 - a. anonymous contributions
 - b. contributions made under a fictitious name
 - c. contributions made in the name of another
 - d. political assessments on or solicitations on state property from government employees.

PENALTIES

- | | |
|--------------------------|-----------------------|
| 1. Violations of the Act | - \$10,000 fine(max.) |
|--------------------------|-----------------------|

Date: 11 / 08 / 77

REFERENCE

West Virginia Code Annotated, 1971
Replacement Volume, c.3 - Elections,
Article 8 - Regulation and Control
of Elections; 1976 Cumulative Supplement.

NAME

WEST VIRGINIA

ADDRESS

Secretary of State,
Charleston, West Virginia. 25305

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x

Audit: yes _____

To: CEO _____ Commission _____
Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x	x	x	all		x	
2 expenditure	x	x	x	all		x	

Time of filing:

	<u>before</u>	<u>after</u>
primary	5	30
general election	5	30

Comments:

*contributors of more than \$250

Also 15 days following first Saturday of
February next preceding the primary

PUBLIC DISCLOSURE

By:

How long records kept: 1 year, by Secretary of State

Manner of disclosure:

COMMISSION

Name:

Duties: receive reports _____
investigate _____
publicize reports _____
refer violations to AG _____
other _____

Composition:

AGENCY

Candidate's agent:

Function:

Committee's agent:

Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. Statewide offices: \$75 for each county in the State
2. State Senator and State Representative: \$125 per county in district
3. County offices: \$200 per county. Above limits for primary and general election separately
4. Allowable expenditures specified.

Advertising:

1. All advertisements must be properly identified and contain phrase "paid advertisement".

CONTRIBUTION LIMITATIONS

Provisions:

1. Individuals: \$5,000/election
2. Prohibition against:
 - (a) cash contributions above \$50
 - (b) contributions by corporations and government contractors
 - (c) contributions from funds other than those of the contributor unless name and address of the source is disclosed

PENALTIES

- | | |
|---|---|
| 1. Violating expenditure limitations | -- disqualified from holding office for 5 years |
| 2. Knowingly failing to file or filing a false report | -- misdemeanor, \$50 fine, 1 year imprisonment |

Date: 12 / 07 / 77

REFERENCE

Wisconsin Statutes Annotated, Title II -
Elections, c.11 - Campaign Financing

NAME

WISCONSIN

ADDRESS

State Elections Board,
1 West Wilson Street,
Madison, Wisconsin. 53702

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
other _____

Forms: yes x
Audit: yes _____

To: CEO _____ Commission x
Secretary of State _____

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer</u>	(2) <u>purpose</u>
1 contribution	x	x	x	\$20			and occupation *
2 expenditure	x		x	\$20	x		x

Time of filing:

	<u>before</u>	<u>after</u>
primary	8	30
general election	8	30

Comments:

*contributors of more than \$100
must be reported within 24 hours

semi-annual reports by Jan.31 and
July 10
Contributions of more than \$500 received
after last filing prior to an election

PUBLIC DISCLOSURE

By: State Elections Board
How long records kept: 10 years
Manner of disclosure:
1. public inspection
2. annual report

COMMISSION

Name: State Elections Board
Duties: receive reports x
investigate x
publicize reports _____
refer violations to AG x
other prescribe forms, rules

Composition:

AGENCY

Candidate's agent: campaign treasurer (req'd) Committee's agent: treasurer (req'd.)
Function: 1. receive contributions Function: same
2. authorize expenditures
3. keep accounts and records
4. file reports

FUNDING PROVISIONS

Manner:	tax deduction	<u>y</u>	Detail:	Indirect tax deduction
	tax credit	<u> </u>		(s.72.02 (2)(f), Supp.)
	tax checkoff	<u> </u>		
	reimbursement	<u> </u>		
	other	<u> </u>		

EXPENDITURE LIMITATIONS

Provisions:

- | | |
|--|--|
| 1. Anonymous disbursements prohibited.
All disbursements must be authorized
by treasurer or his designated agents. | Advertising:
1. Advertisements must be properly identified.
2. Excessive rates prohibited. |
| 2. All expenditures must be made by
cheque. | |

CONTRIBUTION LIMITATIONS

Provisions:

1. By individuals to:
 - (a) Statewide candidates - \$10,000/campaign
 - (b) State senator - \$ 1,000/campaign
 - (c) State representative - \$ 500/campaign
2. By committees to:
 - (a) Governor - \$20,000/campaign
 - (b) Lt.Governor - \$ 4,000/campaign
 - (c) State senator - \$ 800/campaign
 - (d) State representative - \$ 400/campaign
 - (e) All statewide candidates - \$50,000/biennium
 - (f) All other offices - \$30,000/biennium
3. Prohibition against:
 - (a) anonymous contributions greater than \$10
 - (b) contributions above \$50 being in cash
 - (c) contributions in the name of another
4. All contributions must be deposited in designated campaign depository

PENALTIES

- | | |
|--|--|
| 1. Exceeding contribution limits | - fine of 3 times the excess |
| 2. Violations of the Act | - \$500 fine |
| 3. Intentionally filing a false
report | - \$10,000 fine, 3 years' imprisonment |
| Intentionally accepting illegal
contributions | |

Date: 14 / 7 / 77

REFERENCE

Wyoming Statutes, Annotated, Title 22.1
 -- Wyoming Election Code, c.24 -
 Campaign Practices

NAME

WYOMING

ADDRESS

Secretary of State,
 Cheyenne, Wyoming. 82002

DISCLOSURE PROVISIONS

REPORTING REQUIREMENTS

By: candidate x committee x
 other _____

Forms: yes x
 Audit: yes _____

To: CEO _____ Commission _____
 Secretary of State x

Detail:

	<u>name</u>	<u>address</u>	<u>amount</u>	<u>threshold amount</u>	<u>date</u>	(1) <u>employer/purpose</u>	(2)
1 contribution	x		x	all			
2 expenditure	x		x	all	x		x

Time of filing:

	<u>before</u>	<u>after</u>
primary		10
general election		10

Comments:

PUBLIC DISCLOSURE

By: Secretary of State
 How long records kept:
 Manner of disclosure: public inspection

COMMISSION

Name:

Duties: receive reports _____
 investigate _____
 publicize reports _____
 refer violations to AG _____
 other _____

Composition:

AGENCY

Candidate's agent: Treasurer
 Function:

Committee's agent: Treasurer
 Function:

FUNDING PROVISIONS

Manner:	tax deduction	_____	Detail:
	tax credit	_____	
	tax checkoff	_____	
	reimbursement	_____	
	other	_____	

EXPENDITURE LIMITATIONS

Provisions:

1. candidate must authorize all expenditures in writing.

Advertising:

1. advertisements must be properly identified.
2. excessive advertising rates prohibited.
3. media must file reports detailing advertising, cost, etc. within 7 days following each election.

CONTRIBUTION LIMITATIONS

Provisions:

1. Only natural persons, political parties and committees or campaign committees may make contributions.
2. By individuals other than candidate and family
 - \$1,000 for 2 year period consisting of a general election year and the preceding year to any candidate or committee
 - \$25,000 in aggregate to all candidates and committees during same two year period

PENALTIES

- | | |
|----------------------------------|---|
| 1. Exceeding contribution limits | - \$10,000 fine + lawyer's fees |
| 2. Failure to file | - misdemeanor |
| 3. Violations of the Act | - misdemeanor, \$1,000 fine, 6 months' imprisonment |

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